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Linda Bridges on Priscilla L. Buckley's *Living It Up with National Review*

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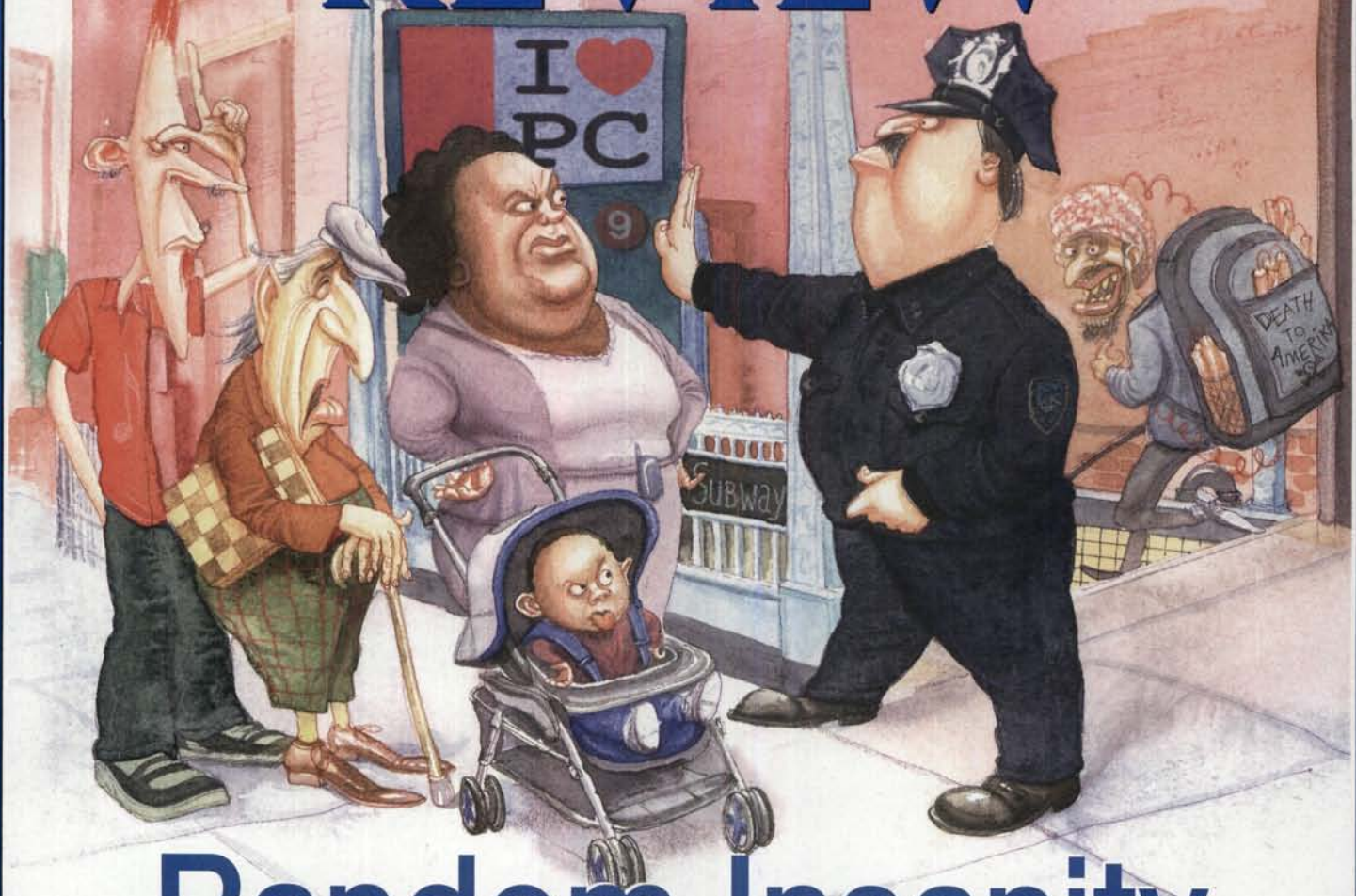

Random Insanity

THE CASE FOR PROFILING, AND COMMON SENSE, IN HOMELAND SECURITY

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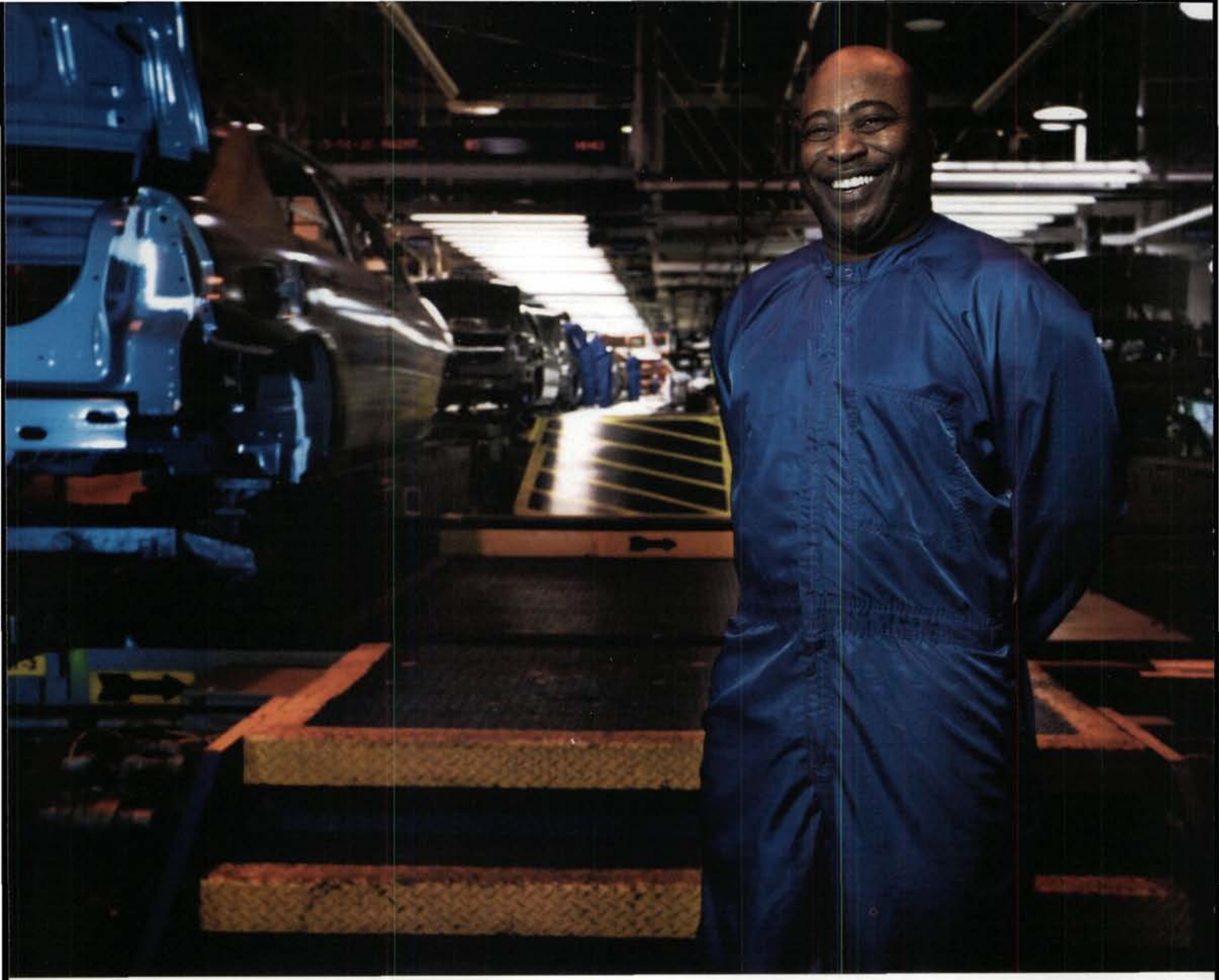

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NATIONAL REVIEW

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■ AT WAR

Unreasonable Searches

We have met the enemy, and it is militant Islam. Yet we refuse to acknowledge that fact, pretending that the enemy is "terror"—a method of attack—rather than the terrorists who employ that method. The latest expression of our refusal to identify the enemy is our ongoing debate over "racial profiling." *By Andrew C. McCarthy*

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letters to the editor

A PASSIONATE RAPPROCHEMENT

I enjoyed Michael Potemra's review of *Is the Reformation Over?* by Mark Noll and Carolyn Nystron ("One Church, After All," July 18). Potemra's comments about Catholics and evangelicals coming closer together during the last 40 years are spot-on, and an excellent example is Mel Gibson's *Passion of the Christ*. Obviously all Christians agree with the centrality of Christ's resurrection to the Christian faith. But the film itself is very Catholic: After Jesus, the most important character is the Blessed Mother; the Shroud of Turin is included; and there are parts of the communion prayer recited at Mass. The fervor with which Christians of all denominations embraced the film speaks very much to the rapprochement discussed in Potemra's review.

Richard DiNardo
Stafford, Va.

RIGHTS AND PRIVILEGES

The discussion of *Griswold* v. *Connecticut* in the July 18 issue ("The Bad Decision That Started It All"), while well argued, failed to address the heart of the matter: The notion underlying *Griswold*, that there is some fundamental right to sexual privacy, is fatally flawed.

About 2,000 years ago, Cicero wrote that "true law is right reason in accord with nature." Looking at Cicero's words in the context of this claimed right to privacy, we must realize that human society's continued existence depends upon a strong flow of new people to replace the dead and disabled. Society, acting through the state, has a vested interest in the integrity of the reproductive process—from conception to birth to the full development of a member of society.

It follows that privacy in sexual matters is a privilege, not a right, to be modified or withdrawn depending on society's basic need to replenish itself.

Andrew Engebretson
Duluth, Minn.

ONLY WHAT'S NECESSARY

Ramesh Ponnuru writes in "Ask Not" (August 8) that Republican senators should insist that John Roberts answer questions about how he would rule on prospective Supreme Court cases. Certainly, there is nothing wrong with asking Roberts to state his views on the merits of various Supreme Court decisions, but being forced to state whether he would overturn a specific case is an entirely different matter. Roberts's standing on the Court would not only be compromised, but such in-depth questioning would also lead to bombastic grandstanding from Judiciary Committee Democrats, as they try to morph John Roberts into Robert Bork.

It may be useful to recall that the spectacle of nominees' testifying before the Senate is a relatively recent phenomenon. Not until John Marshall Harlan's nomination in 1955 did in-person testimony become a *de rigueur* element of the confirmation process.

Ask Roberts about his judicial philosophy, but let's not hold him to an unreasonably high standard.

Michael J. Ellis
Hanover, N.H.

CONSCRIPTING FACTS

A note in "The Week" memorializing the late Gen. William Westmoreland (August 8) states that Westmoreland "was leading an army of draftees against guerrillas who were the clients of nuclear superpowers." In fact, two thirds of Vietnam-era veterans volunteered for the military. Draftees made up only 25 percent of American forces in Vietnam and accounted for 30 percent of American combat deaths there. By comparison, 66 percent of the Americans who fought in World War II were conscripts.

The "army of draftees" canard is a commonly held myth about the Vietnam War, but not one that should have escaped the attention of NR's editors.

Scott Swett
Falls Church, Va.

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Why Has Latin America Turned Left?

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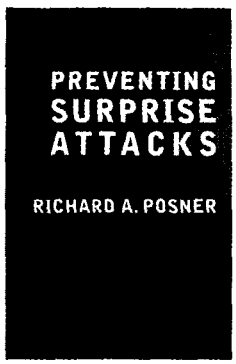

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In the past five years, Latin American governments that came to power in the 1990s and favored privatization, deregulation, and the opening of their borders to foreign trade and investment have been swept aside and replaced by presidents who lean to the left.

In Brazil, the Workers' Party candidate, Luis Inácio Lula da Silva, was elected to the presidency in 2002. The following year, Argentina elected a left-leaning Peronist, Nestor Kirchner; earlier this year in Uruguay, Taberé Vázquez's election ended 150 years of electoral dominance by the country's two established political parties. Venezuela retained Hugo Chavez and his "Bolivarian revolution" in a national referendum in August 2004. Bolivia has yet to elect a leftist president but is likely to do so. That country's "Movement toward Socialism" has forced President Carlos Mesa to resign and has signaled that potential successors will be met with similar resistance. Mexico also appears poised to follow in the footsteps of its southern neighbors; the leading contender in the 2006 presidential elections is Andres Manuel Lopez Obrador, the populist mayor of Mexico City.

What accounts for this sea of change in Latin American politics? Have Latin American voters undergone a profound ideological transformation in half a decade? Or do other factors explain the defeat of politicians who espoused free markets by those whose rhetoric echoes a more populist past?

Latin America's anemic economic performance explains the leftward shift in its politics. With the exceptions of Chile and Costa Rica, the economies of Latin America have limped along for the past two decades. In the 1980s, Latin America's economies nose-dived as a result of decades of protectionism, government intervention in markets, and deficit spending. In the 1990s, in an effort to turn things around, Latin American governments opened up their economies to foreign trade and investment, cut spending, and sold off state-owned enterprises, with promises of rapid economic growth. Those reforms did produce positive impacts but not of the magnitude that populations expected. Indeed, most countries grew just enough to make up for their contraction in the 1980s; Mexico's per capita GDP in 2004, for example, was only 15 percent greater than it had been in 1982.

Meanwhile, Latin America's labor force proliferated. Most of the Latin American population is young—recently entering, or about to enter, the workforce. Given that a majority of voters have entered the labor force since the early 1980s and encountered a dearth of opportunities, it is not surprising that they have been receptive to more heterodox approaches to economic policymaking. Equally unsurprising is the new Latin American governments' lack of enthusiasm for U.S. proposals for a hemisphere-wide free trade area.

The implication for U.S. policy is clear: if policymakers are concerned about the leftward shift in Latin America, they should concentrate on helping the region grow. This help will need to go well beyond free trade. Indeed, they might take a page out of the experience of the EU, whose wealthier nations have helped subsidize public investment in its poorer partners.

—Stephen Haber

Stephen Haber is the Peter and Helen Bing Senior Fellow at the Hoover Institution. He is also the A. A. and Jeanne Welch Milligan Professor in the School of Humanities and Sciences.

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THE WEEK

■ Jeanine Pirro, the district attorney of Westchester, will run as a Republican for Hillary Clinton's Senate seat. Pirro's husband is a convicted felon. So does that make it a level playing field?

■ It was an idea whose time had passed as soon as it came: Various administration bigs suggested renaming the war we are in "the global struggle against violent extremism." But President Bush tacitly overruled them, using "war on terror" five times in a speech in Texas. The longer phrase sat on the tongue. "The global struggle against violent extremism is hell." "This day is called the global struggle against violent extremism. He that outlives this day, and comes safe home, will stand a-tiptoe when this day is named." Not that "war on terror" is flawless. Though we oppose all terror, it is Islamofascist terror that we are fighting. In addition, this war will be conducted by many means during lulls in actual conflict. But a war it is: We must be willing to attack and kill our enemies and their patrons; they, more radically, use violence, not just as a means to sap our will, but as a sacrament in a cult of death. World War II didn't say it all either, but it served. This is our longer, trickier equivalent. On with it.

■ Republican Jean Schmidt won the special election in Ohio's heavily Republican second district with only 52 percent of the vote. Democrats called the narrow margin a "victory" for Iraq-war veteran Paul Hackett. They say that the race showed burgeoning opposition to the war in red-state America. The election should be a warning sign to Republicans—but not the one the Democrats think. It is true that Hackett ran as an antiwar candidate and has called President Bush an S.O.B. more dangerous than Osama bin Laden. But it may be more politically significant that his campaign ads portrayed Bush positively and slammed Schmidt for backing tax increases. Schmidt, meanwhile, was a weak candidate, aligned with an unpopular tax-hiking GOP governor. She won the primary only because conservatives splintered in an eleven-candidate field. Democratic turnout was up, and Republican turnout down. Following his loss, Hackett declared, "We have the power to win back Congress. Yesterday proved it." If conservative voters are as disengaged or dispirited in 2006 as they apparently were in Ohio's special election, and the Democrats run as smart a campaign as they just did, the Dems could be crowing about real victories next year.

■ The Democratic money machine, already reeling from the collapse of their voter-registration group, America Coming Together, suffered another blow with a deep split in the AFL-CIO. In late July, two major players in the labor organization, the Service Employees International Union and the International Brotherhood of Teamsters, withdrew from the AFL-CIO in a fight over political strategy; a third group has followed them out. The dissident unions want to spend more money to recruit new members, figuring that labor will never regain its political clout

Sen. Frist executes a flip-flop *(see page 12)*

ROMAN GENN

until it stops its decline, while the AFL-CIO, led by president John Sweeney, wants to continue to use coerced union dues to make massive contributions to Democratic candidates and organizations. So now, Democrats find themselves with a divided labor base, no America Coming Together, and disillusioned donors. And they say George W. Bush is running out of steam?

■ New York governor George Pataki announced he would not seek a fourth term, bringing to a close a tenure that long outlived its bright beginnings. Pataki won office in the GOP *annus mirabilis* of 1994, beating incumbent Mario Cuomo. Pataki said he would cut taxes and spending and briefly did so, but soon made his peace with environmental groups and public service unions, and failed to clear the permanent logjam of the state legislature. His pledge to support abortion fared better. After 9/11, he was a dignified presence: second fiddle, it is true, to Mayor Giuliani, but knowing when not to lead is also a leadership skill. Yet Pataki scuffed even this achievement by abandoning Ground Zero to squabbling and inertia (it's still a big hole). He leaves the state GOP rudderless, a shell. He has talked of running for president in 2008. We would warn Republicans nationwide, if it were likely that any would find him attractive.

■ Check out the Garden State. Sen. Jon Corzine, who is your average thickening millionaire, ended his 33-year marriage in 2002 and became an item with Carla Katz, president of a state employees' union, who has teeth like Chiclets. Corzine loaned her $470,000, which she used to buy her ex out of their home. After Corzine and Katz split up, Corzine gallantly ate the loan,

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and properly paid a gift tax on it. Who says that the age of chivalry is dead? But now Corzine is running for governor, in which job, if he wins it, he will be negotiating with Ms. Katz. So was it just one of those things, just one of those crazy things, or do the people of New Jersey have an interest in Corzine's generosity, and its possible ramifications? Trenton: the new Versailles.

■ Bush sent John Bolton to the U.N. on a recess appointment. His nomination had been filibustered by Democrats who threw every charge at him that Joe Biden and Chris Dodd could scrape from the floor of the Senate Foreign Relations Committee. He arrived at Turtle Bay with Democrats predicting his effectiveness would be blunted by his recess appointment, but other diplomats there pointed out that most ambassadors to the U.N. don't have to be confirmed by legislatures. (We would add that many of them are not even appointed by elected governments.) John Bolton will ably represent and serve Bush's foreign policy, which is why many Democrats opposed him in the first place.

■ The Central American Free Trade Agreement passed the Congress, just barely. The vote was close because Democratic support for free trade has collapsed over the last decade. In 1993, 102 House Democrats voted for NAFTA. They were in the minority even then: One hundred and fifty-six House Democrats voted no. But now their ranks have dwindled so far that even a modest free-trade measure could command only 15 House Democrats' support. The centrist Democratic Leadership Council endorsed CAFTA, but it could not persuade even its favorite senators, Evan Bayh and Hillary Clinton, to vote for it. President Bush's next big task on trade will be to oversee a successful round of global trade talks. He can expect no help from today's Democrats—who themselves deserve no help from trade-minded businesses.

■ Congress celebrated the arrival of its summer recess by going on a bender. The energy bill it passed is not completely without merit—it repealed some onerous regulations on the electric and gas utility industries. But that deregulation came at the cost of up to $66 billion in needless giveaways to energy producers who either don't need or don't deserve assistance. (With oil prices above $60 per barrel, oil producers are doing just fine; on the other hand, solar power, electric cars, and ethanol are fads that cannot be made viable simply by throwing federal funds at them.) The energy bill was restrained, however, in comparison with the highway bill, a $286.5 billion monstrosity containing over 6,000 earmarks for projects that have almost nothing to do with federal highways. Almost all of the legitimate expenses in the bill, meanwhile, would be more appropriately handled by state governments. President Bush has already signed the energy bill, and he is expected to sign the highway bill as well. Since he has governed for over four years as though he had no power to veto legislation, perhaps it would have been unrealistic to expect anything different.

■ Many state governments effectively prohibit people from buying cheap, basic health insurance by imposing all kinds of mandates. They demand that insurance policies cover the cost of hair transplants, or treatment for alcoholism, or chiropractic services. While the health plans of large companies are regulated by the federal government and thus exempt from the state mandates, small businesses and individuals seeking to buy insurance need relief. But what kind of relief? If the federal government nullified the state mandates, then all the interest groups that successfully lobbied state governments to require that insurers cover their services would simply turn their attention to Washington. Rep. John Shadegg, an Arizona Republican, has hit on an elegant solution: The federal government should let individuals buy health insurance from out-of-state providers. The insurance would be regulated by the company's home state. In effect, people would be shopping for regulatory regimes at the same time they shopped for health insurance. State regulations would be in competition with one another, and any state that imposed too onerous a burden would find that business was going elsewhere. We wish Shadegg's bill covered small businesses, too. But if the Senate follows the House's lead in passing the bill, Congress will for once have sensibly exercised its power over interstate commerce—and brought a little more freedom to American health care.

■ The glamour of the Space Shuttle is its ordinariness. A shuttle is a thing that goes routinely back and forth, like the motion of a loom, or the hourly flights between LaGuardia and Ronald Reagan airports. The Space Shuttle, however, is the taxi of space: regularity in a realm where no man had ventured only 50 years ago. That is the theory, anyway. In fact, Space Shuttle flights are liable to endless postponements; they have also twice ended in disaster. Each flight costs half a billion dollars; the scientific experiments performed on them are slight, and many could be done on earth. The Space Shuttle is a dead end, kept alive by pork and inertia. Send men back to the Moon, or on to Mars, or the Kuiper Belt. Time to consign that sleek, stubby space plane to the Smithsonian.

■ Forgive us for not breathing a sigh of relief upon reading that a new intelligence estimate puts Iran ten years away from having a nuclear bomb instead of the previously thought five. The conventional wisdom is that we now have more time to negotiate. The truth is that we cannot know with certainty when Tehran will have the bomb, but we have every reason to expect it to build one as soon as possible. Now that Iran has resumed uranium processing, European efforts to bribe the mullahs into pacifism must be seen as futile. The latest deal rejected by Tehran included the possibility of its acquiring nuclear reactors and fuel: everything it could possibly want if its intentions were peaceful. It is time to overturn the settled idea that all nations are equally entitled to the pursuit of "peaceful" nukes. If the U.N. Security Council were not the farce it has become, it would impose sanctions forthwith. Since it won't, let's hope our intelligence analysts are devising ways to remove the mullahs from power, and not simply resigning themselves to the advent of Iran's nuclear age.

■ The life and times of the late King Fahd of Saudi Arabia, an octogenarian, explain why the Arab world is in so deep a mess. A spoiled playboy by nature, drinking and womanizing, he fla-

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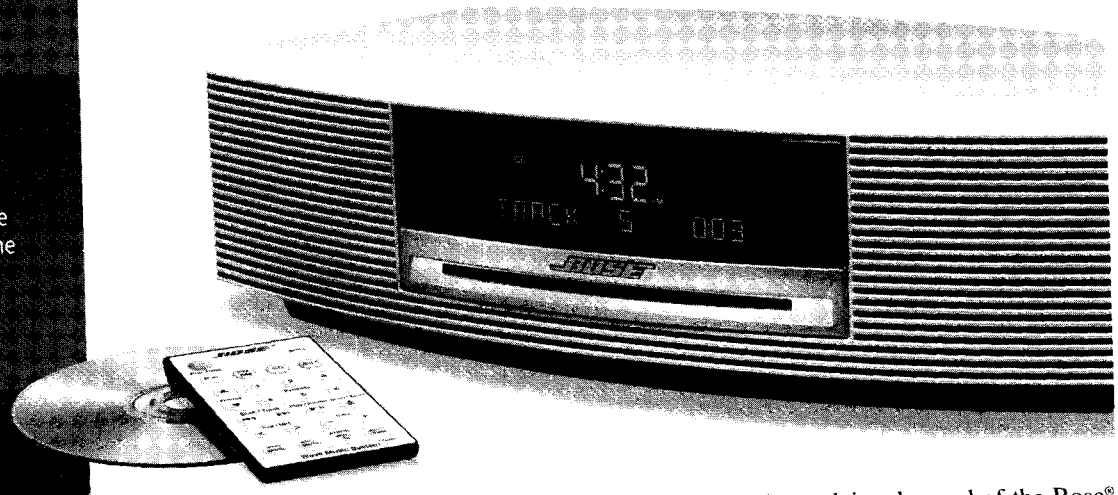

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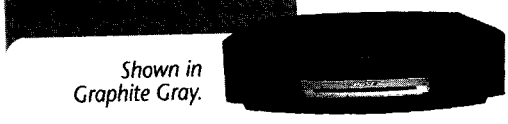

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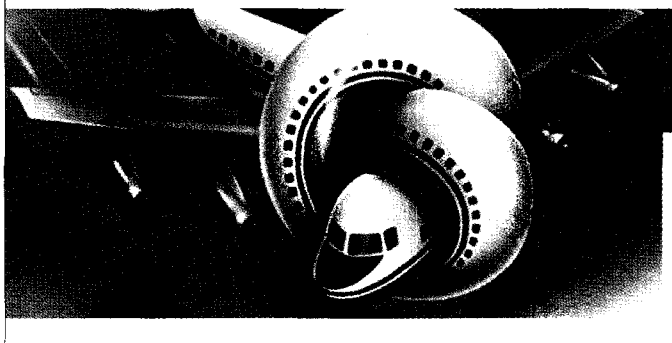
THE WEEK...

grantly offended the strict Wahhabi Islam whose guardian he was supposed to be. His political judgments were disastrous. Financing the Afghan mujaheddin, he put in place Osama bin Laden and the terror now in full spate everywhere, including Saudi Arabia itself. He backed the PLO and Saddam Hussein, only to be obliged to call the United States in to save him in the 1990 Gulf crisis. Since 1995 he had been too ill to govern, and everyone pretended not to notice. Seniority within the family determines succession to the throne, and so another octogenarian, his half-brother Abdullah, becomes king, and plenty more elderly men are in line. Reform is urgent. Things can't go on like this much longer, which is not to say that they cannot get worse.

■ Israel is moving ahead with its pullout from Gaza. Prime Minister Sharon is making a hard-headed calculation that Israel should, absent a reliable negotiating partner on the Palestinian side, unilaterally act to the extent possible to establish defensible boundaries for itself. The security fence has been one (successful) element of this strategy, the withdrawal of Israeli settlers who have to be protected with a large military presence in Gaza is another. Israel had little enthusiasm for occupying this hell-hole in the first place, but acquired it through the exigencies of the Six Day War. The settlement policy in Gaza—crafted by Sharon himself years ago—has been a fizzle, with only 9,000 Israelis living there. Leaving makes sense, and is supported by a majority of Israelis, although part of the Israeli Right has ferociously denounced Sharon. There are, of course, risks. Terrorists might claim it is a great victory, especially if the pullout is completed under fire. And Gaza could, if Palestinian president Mahmoud Abbas doesn't control the situation, become a haven for terrorists. But every move in the Middle East means taking a risk, and on balance, Sharon is right to take this one.

■ Uzbekistan was always as good a location as any for some Bush administration hypocrisy. It is a nasty regime, in an obscure part of the world, with an extremely useful U.S. airbase. Why bother with human rights there? But the administration refused to look the other way after the government massacred demonstrators. Now, the Uzbeks are evicting us from the base. We will be able to make do with bases in Kyrgyzstan and Tajikistan, but the



PARAMOUNT

Profiles in Pointlessness

THERE's a great scene in one of the *Airplane!* movies in which one gun-toting terrorist after another walks through a metal detector at the airport. The detector buzzer keeps buzzing as security ignores a long line of cigar-chomping bad guys carrying bazookas and the like. But then, suddenly, a tiny little old lady walks through and when the buzzer goes off, security swarms all over her, with one guard taking her down with a full body tackle.

It's not so funny anymore.

In New York City, Mayor Michael Bloomberg seems more terrified of violating the rules of political correctness than he is of terrorists. In the wake of the London subway bombings, he announced that occasional searches of bags will take place in pre-announced locations, only with the permission of those searched, and only at random. Ideally, four young Middle Eastern Muslims with heavy clothes and backpacks will go by without so much as a nod from the police; but the fifth person, a one-armed Amish octogenarian grandmother, will be examined by the vigilant constables to make sure that the lady fingers she's carrying aren't made out of Semtex.

Of course, that won't happen, because at the end of the day New York police aren't as stupid as the policies they're supposed to enforce. But it is amazing how ideological the opposition to the use of racial profiling has become. It's odd how, as a group, leftists are so fond of talking about how the Right has become "blinded" by ideology—when their own preferred policy is to cover their eyes whenever reality becomes inconvenient. Shortly after 9/11, the FBI redrafted its "Most Wanted" list to reflect the fact that a bunch of people had successfully orchestrated the greatest mass-murder of Americans in our history, i.e., it put a bunch of Arabs on the list. "Why pick on Arabs?" responded a leading Muslim intellectual. "Are there no South Americans, Irish, Serbs, Japanese among the most wanted?" An expert from Cambridge University lamented, "All of the indicators, the simplifiers—the head dress, the beards, the appearance—all indicate a particular group, associated with a particular culture."

Funny how that works.

Other opponents of profiling go the other way, claiming it's ineffective. Law professor David Harris told NPR that by using a racial or ethnic profile even as just one of many factors in making their decisions on whom to stop, police take the focus off behavior, thus making security screens less accurate. This is a variant of the dreaded Tim McVeigh exception, which seems to hold that you shouldn't look for the color brown while hunting grizzly bears because, after all, there are some albino grizzlies you might miss. Harris claims that when Israelis focused on Arab-looking men, the terrorists (occasionally) switched to men dressed like Jews or to women or whatever. True enough. But what Harris fails to acknowledge is that the terrorists had to change their tactics because the scrutiny on Arab men made things more difficult.

Of course, relying solely on race, ethnicity, or gender would be a waste of time. But surely it would be an even bigger waste of time to corner randomly every fifth creature in the forest on the assumption that a suspicious-looking titmouse just might be a bear.

—JONAH GOLDBERG

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THE WEEK...

episode is a reminder both that the administration is serious about its principles and that they can have a practical cost.

■ "Having invented a new Holocaust," wrote Robert Frost, America cried "King's X—no fairs to use it anymore!" So Frost greeted the dropping of the atomic bomb on Hiroshima and Nagasaki—wrongly. Imputing childishness, he was childish himself. By 1945, the Japanese were determined to defend the home islands as fiercely as they had defended Iwo Jima; casualties on both sides would have been beyond horrendous. A demonstration drop on Mt. Fuji would very likely have failed to break Japan's will; even after Nagasaki, Emperor Hirohito met resistance to surrender in his inner circle. It is no fair to use the bomb, or any other such weapon, in the normal course of war. Against an enemy who launched an unprovoked attack, perpetrated mass slaughters, and was determined to unleash more, the calculus of appropriate response changed. America did what it should have done.

■ The new Rolling Stones album has a track—called "Sweet Neo Con"—bashing George W. Bush and Condi Rice. Political songs are an innovation for the Stones, just like touring in their sixties. Rock on, guys. But how do you become cool again, when you haven't been since George W. Bush was in college?

■ The heir presumptive, it has been revealed, to the earldom of Essex is William Capell. His fourth cousin, once removed, is the current incumbent—the eleventh—Frederick Paul de Vere Capell, who inherited the title in June at the age of 61. A bachelor, he has not yet produced any legitimate male offspring. The title, first created in 1139 for Geoffrey de Mandeville—a player of no fixed allegiance during the anarchy of King Stephen and the ascendancy of the Empress Matilda—has a checkered history. Several of the lines that have held the title have suffered extinctions, forfeitures, executions, and banishments. Thankfully, ever since 1661, when the earldom was revived in its ninth creation, it has dutifully passed down generations of Capells—the 17th-century founder of which dynasty married Elizabeth, daughter of Algernon Percy, tenth earl of Northumberland (a line that has since risen to ducal status) and scion of an Anglo-Scottish family once known as the "Kings in the North." Mr. Capell resides in Yuba City, California, and is a retired grocery-store clerk.

■ Peter Jennings, longtime anchor of the ABC evening news, was not the last of a breed. The last were Walter Cronkite and David Brinkley. They were the gods; their successors at the Big Three networks—Jennings, Tom Brokaw, Dan Rather—were the after-gods, presiding over shrinking audiences and clout. With every year, their domains shrank yet further: The average age of Jennings's audience, according to Nielsen, was about 60. Still, Peter Jennings was an impressive figure, simultaneously sleek and earnest. Liberal as his peers, he acknowledged that the political monoculture of the newsroom was a problem (after one such statement he lunched with NR). Canadian born and bred—*about* in his mouth was always a homonym of the footgear—he became an American citizen in 2003. His death from cancer at age 67 is a shock. R.I.P.

■ "You really shouldn't be here at all." In an article for National Review Online in June, American freelance writer Stephen Vincent quoted these cautionary words of a British-embassy official in Basra. Worse, Vincent wrote about what he saw. Vincent, author of *In the Red Zone: A Journey Into the Soul of Iraq*, based on a previous trip to post-liberation Iraq, was murdered in early August, days after a piece on radicals in the Basra police department appeared in the *New York Times*. Vincent, a brave man and clear writer, had watched from atop his New York City apartment building as the World Trade Center came down; he viewed his work in Iraq, reporting outside the confines of the Green Zone and embedding restrictions, as his contribution to the war effort. He was killed for his contribution, but we are all—Iraqis and Americans—better off for his service. R.I.P.

FRIST PEELS OFF

As squadron leader flying wing,
It simply isn't done, old thing:
Richthofen would have pounced, and there
You'd be, embarrassed in mid-air.
Good form when flying wing implies
One always looks out for the guys—
Like Eddie back in World War I,
Who knew a stem cell from a Hun.

—W. H. VON DREELE

THE COURTS

Getting to Know John Roberts

JOHN ROBERTS has been an extremely cautious conservative. He has not only avoided associating himself with controversial legal, political, or moral positions; he has also tried to distance himself from the Federalist Society, an organization for conservative and libertarian lawyers that does not itself take any positions. This seems to be an excess of caution. We hope that his nomination does not preclude future nominations of conservative jurists whose philosophical commitments are more overt.

But to the extent we can glean his legal philosophy, we like what we see. The memoranda that he wrote for the Reagan Justice Department and White House should not have been released, but they reveal Roberts to be not only an extremely smart and careful lawyer—which has never been in dispute—but a fairly conservative one. It is true that he was working for a client, the Reagan administration, rather than simply expressing his own views. Particular memos resulted from very specific assignments to write the best case that could be made for a posi-

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Thomas F. X. Noble (Ph.D., Michigan State University) is a noted history teacher at the University of Notre Dame. While teaching at the University of Virginia, he won the Alumni Distinguished Professor award. He holds three fellowships and is the author of numerous articles and books.

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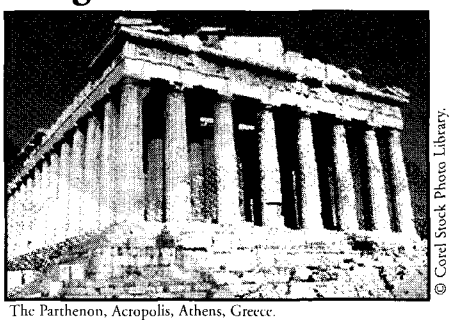

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The Parthenon, Acropolis, Athens, Greece.

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tion rather than to sketch his own position. But we suspect that the papers are still a better guide to his views than his work for private clients at Hogan & Hartson. His work showed a willingness to buck liberal orthodoxy on race and an appreciation of the strength of the argument against liberal orthodoxy on the right to privacy.

Some conservatives continue to have misgivings about Roberts. Their best evidence against him is his pro bono work helping the lawyers for the liberal side of *Romer* v. *Evans* (he participated in a moot court, thus helping the lawyers to predict how the justices would react to their arguments). The press, covering this controversy with typical idiocy, makes it sound as though conservatives object to *Romer* only because the case advanced "gay rights." But what was troubling about the decision was that the Supreme Court went out of its way to intervene in the culture wars, inventing a dubious constitutional theory in the process. If we thought that Roberts agreed with the decision, it would create real doubts in our minds about his philosophy of judging. But Roberts's work on the case seems to have been minimal—just a few hours—and to have reflected his collegiality more than his convictions. Whether Roberts should have been quite so collegial in this case is a question about which people with sound judicial views could reach different conclusions in good faith.

For the most part, however, conservatives are supporting Roberts—and very, very few of them are laboring under the delusion that his defeat would somehow advance conservative objectives.

The liberal misgivings about Roberts are, reassuringly, deeper. Even more reassuringly, liberals' attacks on Roberts have been politically ineffective. They say that he shielded violent anti-abortionists from prosecution. What really happened is that while working for the first Bush administration, Roberts submitted a brief to the Supreme Court arguing that anti-abortion protesters had not run afoul of the Ku Klux Klan Act—and the Court agreed. Anti-abortion violence remained illegal. Roberts's liberal critics say that he is hostile to the Voting Rights Act, because in the Reagan administration he counseled against amending it to turn it into an instrument for quotas. Roberts was right again, although unfortunately he lost. The liberals have not come close to establishing that Roberts would, as a justice, vote to nullify the amendments that he had opposed on policy grounds, let alone that he would be wrong to do so.

NATIONAL REVIEW Is Coming to Los Angeles!

■ Please join William F. Buckley Jr., Richard Lowry, Jonah Goldberg, Jay Nordlinger, Kate O'Beirne, Ramesh Ponnuru, and Kathryn Jean Lopez on September 17 for a private cocktail party and dinner in Los Angeles. For reservations please call Tim Wolff at 212-679-7330, or e-mail him at twolff@nationalreview.com.

Liberal opposition to Roberts seems to rise by the week, but it still seems very likely that he will be confirmed. As he should be.

PUBLIC POLICY

Stem Sell Out

BILL FRIST, the Senate majority leader, has come out for federal funding of stem-cell research that destroys human embryos. His speech did not do much to clarify the issues involved. The senator recognized that a human embryo is "nascent human life" that "deserves to be treated with the utmost dignity and respect," indeed "the same dignity and respect we bring to the table as we work with children and adults to advance the frontiers of medicine and health." Yet we do not subsidize the killing of children and adults in medical research, and would not even if such research held great promise. Some people do not believe that human beings in their earliest stages have the same right not to be killed that children and adults do. But Frist, on his own account, is not one of those people.

He hinted that the justification for subsidizing what he knows to be the destruction of living human organisms is that those organisms are slated for destruction anyway. He would restrict funding to research on those embryos who are donated by their parents for research. Even if we assume, dubiously, that the subsidies would not increase the number of donations, Frist's justification is still incongruous with his premise. We would not remove the heart from an inmate en route to the electric chair on the theory that he will die anyway, and may as well be used for a transplant; nor would we take the heart of a terminally ill patient.

Frist outlined the conditions he wants to place on stem-cell research. In particular, he wants to ban the creation of human embryos for the purpose of research. But the leading bill to fund the research does not prohibit cloning, and Frist did not make his endorsement of the bill contingent on such a prohibition.

Nor did Frist explain why it is necessary to make U.S. taxpayers, many of whom recognize the wrongness of this research, fund it. He said that the lack of federal funding "will, over time, slow our ability to bring potential new treatments for certain diseases." Why will it do that, when the private sector and state governments are funding the research? (Lavishly, in the case of California.) In any case, if ethical limits on research must be abandoned whenever they may slow down research, then there can be no ethical limits.

Right now there are no limits on cloning; no limits on research using human fetuses; no limits on the creation of human-animal hybrids. A bill to ban cloning has been stalled in the Senate for several years, so a cloning industry could well arise in the near future. Federal funding for research on the "excess" embryos at fertility clinics may be on the way: Most of the Republican candidates for president in 2008 and all of the Democratic ones have endorsed it.

Under the circumstances, pro-lifers should, first, do what they can to encourage research that does not kill embryonic human beings. Some scientists have, for example, proposed trying to create biological entities that would not be human embryos but would serve as sources for the same kind of stem cells that human embryos have. Research should be conducted on animals to see

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if this project is feasible. Second, pro-lifers should try to ban as much objectionable research as can be banned today. They should start by imposing a limit on the age at which embryos can be destroyed in research—public or private. Let the biotech industry and its ideologues explain why living human fetuses should be subjected to destructive research. Third, pro-lifers should attempt to attach a ban on cloning to the funding bill. Let the biotech industry choose between accepting limits and bringing its own bill down.

Pro-lifers are in a difficult, but not impossible, political position. They need to show a tactical and strategic flexibility equal to the occasion.

PUBLIC POLICY II

For Devolution

PRESIDENT BUSH recently reiterated his view that public schools should teach students "both sides" of the debate between intelligent design and evolution. To describe the conflict as a debate between two "schools of thought," as the president did, is already to take sides: For critics of intelligent design, there can be no debate between an elegant scientific theory with vast explanatory power and a religious dogma that masquerades as science.

We see no reason to dispute the vast majority of scientists who believe in the common ancestry of life on earth—which many of the IDers, we gather, accept—and also believe in natural selection as the mechanism by which it attained its present variety. At the same time, we see no reason to accept the notion, made current by some popularizers of Darwin, that natural selection can explain absolutely everything about human beings. This is not just a matter of science's having some mysteries still to solve: We doubt that a material explanation can in principle be found for the non-material phenomenon of consciousness. (Which is why those who are committed to the proposition that such an explanation can be found are so keen to redefine consciousness as a material phenomenon.)

The remaining issue, then, is whether the processes of mutation and natural selection are "random," "blind," or "unguided." Unlike the question of common ancestry, this issue is not purely scientific but rather partly scientific and partly philosophical and theological. Yet the theological stakes here seem much lower than is typically supposed. Let us grant that God did not intervene to suspend the laws of nature so that mankind could come into being. Let us further grant that the laws of nature are blind, knowing nothing of what they are generating. Who made a universe with just the laws that could produce mankind? For a man to walk on water would be a miracle; but for water to exist at all is another kind of miracle. Forces of nature may be blind, but that does not mean that they were set in motion blindly. So proof that blind forces of nature created man hardly undermines the plausibility of the argument from design.

BLACKFORD OAKES IS BACK!

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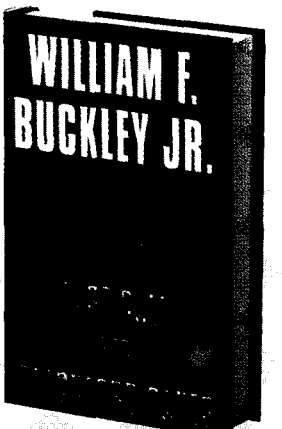
"Blackford Oakes by sheer wit and charm might have won more liberals over to the conservative side than his creator Buckley ever managed on *Firing Line*." —*Booklist*

"If Le Carré is the Henry James of suspense fiction, Buckley might be the Waugh." —*New York Times*

"*Last Call for Blackford Oakes* brings to a conclusion the story of an eloquent, intelligent, and good man who has spent his life battling not only a murderous ideology but its sleek, well-spoken apologists in the West." —*Washington Times*



Nearly thirty years ago William F. Buckley Jr. launched the dashing character of Blackford Oakes like a missile over the literary landscape. Against the backdrop of sinister Cold War intrigue, in this, his eleventh outing, Oakes crosses paths—and swords—with Kim Philby, perhaps the highest-ranking in the parade of defectors to the Soviet Union. Oakes is now himself a master spy, working out of the agency and around agency rules. It is inevitable that the great Soviet spy and renowned American agent will meet again—this time, with deadly consequences.

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THE WEEK...

We are in favor of basic scientific education that reports the consensus of scientists on questions of scientific fact while carefully avoiding disputed theological or philosophical claims. But really, what does it matter what the president thinks about evolution or how it should be taught? There are no national standards that require evolution, or any other subject, to be taught in a certain way in the public schools. Nor should there be. (The most common argument for a national standard is that math in Oregon isn't different from math in New York. But scientific facts and mathematical relations are also the same in Kiev, which does not mean we need binding international standards in education.)

That evolution is a national issue is almost entirely the result of mistakes by the Supreme Court. It has first set itself up as the regulator of all local governmental practices that have religious overtones. Compounding the error, it has decided to try to figure out the motivations of all those practices. So a local school board's failure to teach evolution becomes, literally, a federal case: a violation of the Court's version of the separation of church and state.

Whatever the outcome of the debate over evolution, it should be conducted at the local level. A federal judiciary that sees fit to police the boundaries between science and religion has already lost sight of its own boundaries.

THE IRISH TROUBLES

Illusions of Realism

At first headlines and news reports took the "historic" IRA statement at face value: Terror War Over / IRA Disbands. But was it—and had it? The IRA had made similar-sounding declarations on several occasions in the last twelve years—promising a "complete cessation of hostilities" in 1994 and shortly afterwards blowing up Canary Wharf in London. When its latest statement was examined closely, it turned out to contain more loopholes than you could drive a car bomb through.

The IRA would "dump arms," but not promise to hand over *all* arms. It refused to cooperate with the reformed police force even though it demanded to be included in a Belfast power-sharing government. It did not specifically pledge to halt the criminal racketeering and intimidation that have made Sinn Fein the richest political party in Ireland. Above all, and contrary to first impressions, the IRA did not promise to disband. It will maintain its paramilitary structure and do no more than suspend military operations, just as it did in 1962 for, as it turned out, eight years.

Second thoughts were accordingly more skeptical. Commentators in Dublin, London, Belfast, and even the *New York Times* wrote outright that Sinn Fein-IRA had no intention of closing down its rackets, ending its brutal rule over Catholic areas, or disbanding its private army. They forecast that the Rev. Ian Paisley's Democratic Unionist Party—now the leading Protestant party—would make "the Shinners" demonstrate a lasting and exclusive commitment to democracy before entering a new coalition. Some even allowed that the DUP would be right.

The Bush administration too is almost certainly skeptical about a "party" that sends military advisers to train Colombian terrorists. But Washington traditionally defers to London and Dublin on Ulster. Both governments have consistently appeased Sinn Fein since at least 1998 precisely *because* the IRA refuses to disband or even to disarm fully. (It was not Sinn Fein's small share of the vote that brought it respect. That share has increased in recent years—but that is the result, not the cause, of appeasement.) Most commentators assume that the British and Irish governments will now try to force the DUP into a new power-sharing coalition and, if the Protestants resist, threaten "direct rule with a green tinge"—i.e., running Northern Ireland from London but consulting openly with Dublin and secretly with Adams and McGuinness.

Something like that has in fact been unacknowledged Anglo-Irish policy for the last few years. It sounds realistic. But it has achieved the opposite of what it intended—weakening Catholic moderates and strengthening Protestant resistance to power-sharing. It elevates terrorism over democracy. And today it consigns whole working-class neighborhoods, Catholic and Protestant, to the rule of paramilitary thugs. Appeasing terrorism has failed in Ireland as in the Middle East. Time to insist on unqualified democracy.

AT WAR

Search Us

NR doesn't often agree with the New York Civil Liberties Union, but this passage from a press release announcing its suit against New York City's random subway searches had us nodding along: "The NYPD is not conducting searches at most subway entrances at any given time, is giving advance notice about searches at those entrances where searches are being conducted, is allowing people selected for a search to walk away, and is not basing the searches on any suspicious activity of individuals. As common sense would suggest, the NYPD's program is virtually certain neither to catch any person trying to carry explosives into the subway system nor to deter such an effort."

Exactly. Our agreement with the NYCLU ends there. It claims that the random searches violate the Fourth Amendment prohibition on "unreasonable searches and seizures." But the Supreme Court has made it clear that brief, standardized, discretion-free searches in response to a compelling public interest (e.g., keeping drunk drivers off the road) pass constitutional muster. The problem with the searches is not that they are unconstitutional. It is that they are deliberately badly designed so that they can adhere to the PC piety that has made "profiling" a dirty word.

We know who is targeting us: Young Muslim men from Arab, South Asian, or North African countries. To forbid law enforcement to act on this information is as senseless as forcing it to ignore Italian heritage as a factor in breaking up the New York mob. Yes, there can be exceptions, such as the female suicide bombers who occasionally strike in Israel. But the exceptions do not obviate the statistical rule, nor make it wise to ignore it. Searching black, Hispanic, and white women, children, the aged,

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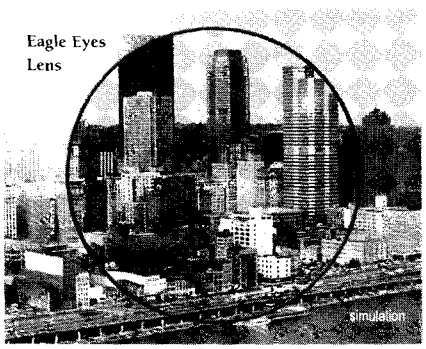

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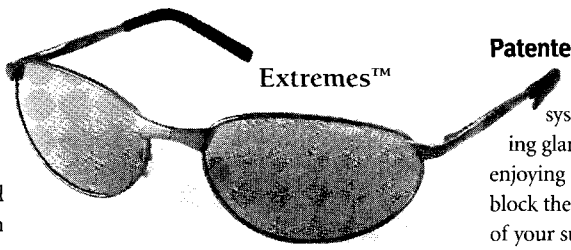

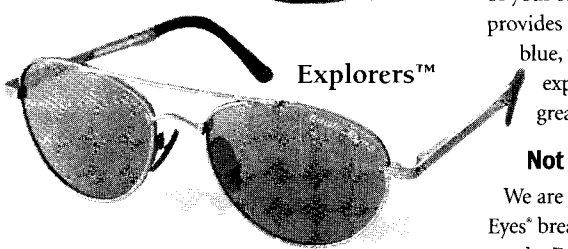

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and others who have almost no chance of being terrorists is a deliberate misallocation of police energy and resources that is scandalous given the gravity of the threat.

Police should be able to act on their suspicions and their instincts without prompting outrage. But white people can be terrorists, argue the anti-profilers. What about abortion-clinic bomber Eric Rudolph? If there were information that Rudolph, when he was still on the run, were heading to New York City, police would have rightly given extra scrutiny to white males near abortion clinics. What about Timothy McVeigh? If a militia group were to declare its intent to bomb government buildings, law enforcement would be especially vigilant about people fitting the profile of the members of militias. Whenever government makes a distinction based on race, it gets strict scrutiny from the courts. But the courts have rightly held that racial distinctions can be justified if the public interest is compelling enough—and preventing a terrorist attack meets the test.

There is something very American and almost touching about the lengths we will go to avoid offending people. It's an admirable, good-hearted impulse—at least until people get killed.

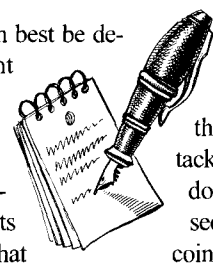
notes & asides

■ Dear Bill: I hope you will be as delighted as we are to learn that *Miles Gone By* has won the PMA's Benjamin Franklin Award for best book of the year in the autobiography/memoirs category. The awards are given each year by the Publishers' Marketing Association, a national organization that supports excellence in book publishing.

We were pleased that all your wonderful work on *Miles* has been recognized as "best of breed." We certainly think so!

Best,
Marji Ross
Regnery Publishing
Washington, D.C.

■ Dear Mr. Buckley: I recently had the pleasure of meeting John Thomson while he was in Kabul collecting material for a forthcoming article on Afghanistan. John mentioned that he has enjoyed a long association with NATIONAL REVIEW, and I asked if he might kindly consider passing along my offer to you to become a member of the Kabul Yacht Club.



The Kabul Yacht Club can best be described as a "virtual" yacht club owing to a lack of boats, facilities, and conditions in Kabul (this, as you know, is a land-locked country just overcoming the effects of a seven-year drought). What we do have is about 200 enthusiastic members, including leading Afghans, foreign diplomats posted in Kabul, and Washington leaders such as Secretaries Rumsfeld, Hofmann, Dobriansky, and Lash. Lt. Gen. Karl Eikenberry, the new commander of Combined Forces in Afghanistan, is our newest member.

There are no dues, no obligations, and, frankly, no standards . . . but there are great friendships and a truly unique bond among our members.

I hope you will accept the accompanying membership certificate in the Kabul Yacht Club. We'd be honored to include you among our distinguished members. I'm also a member of the New York Yacht Club, and I assure you this is reputable in all respects.

With best regards,
Commodore Mitchell Shivers
Kabul, Afghanistan

Dear Commodore: Okay, fine. You may not be aware that I was covertly ambassador to Afghanistan during the Reagan administration. I don't have a boat anymore, but perhaps when I come over you can lay one on?

Yours faithfully, WFB

■ Dear Mr. Buckley: In Notes & Asides of July 4, you coined the neologism *quandriers*, so naturally I have looked for usages. Fortuitously, I have just finished the *Gamay* chapter of *Miles Gone By* and found that many people feeling the Buckley bite became *quandriers* those 50 years ago, having been attacked by truth but not knowing what to do about it. Since *neologism* has this second meaning: "a meaningless word coined by a psychotic," I make use of it to wonder if those folks considered you to be a *vagrier* (a neologism of my own), since, never admitting to being *quandriers* and thus totally intellectually/theologically/socio-economically/philosophically/educationally indecisive, they simply accused you of vagary, defined as "an erratic, unpredictable, or extravagant manifestation, action, or notion." Since I doubt that this creates a quandary for you, may I assume that you categorically consider the *Gamay* detractors to be the actual *vagriers*?

Warmest regards,
Jim Clark
Lexington, Ky.

Dear Mr. Clark: You took the word out of my mouth!

Cordially, WFB

■ Mr. Buckley: While growing up in the Midwest I don't remember ever encountering a grammatical construction such as: "Your imagination should be able to handle that, no?"

Why not end with "yes"? And what response indicates agreement or disagreement when ending the query in "yes" or "no"?

Your erudite clarification would be appreciated.

Sincerely,
Steven L. Wentworth
Yardley, Pa.

Dear Mr. Wentworth: Very interesting. As in other matters in language, doing what comes naturally tends to be the thing to do. The negative is obviously called for in French ("Tu désires du café, non?") and Spanish ("¿Tomas café, no?"). If one were to expand the negative locution here, we'd have "You're going to have coffee, aren't you?" And there is the negative, poking its head. Aren't you?—Are you not? The sentence you quote is constructed to suggest that the addressee's imagination is (presumably) sufficient to cope with the problem; so that the indicated answer—if the imagination were insufficient—would be: No. A "yes" could be accomplished by a nod of the head, or—silence.

Cordially,
—WFB

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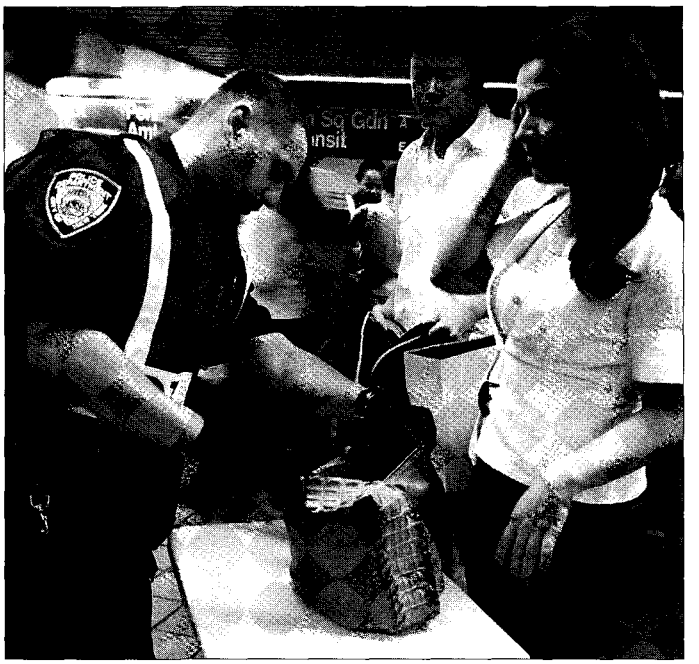

BAG SEARCHES IN NEW YORK CITY MARIO TAMA/GETTY

■ AT WAR ■

Unreasonable Searches

Policing without profiling makes no sense

ANDREW C. McCARTHY

YEAR four of the War on Terror is coming to a close with the bombing of London's mass-transit system by Islamist terrorists. Year three saw the Islamists bomb Madrid's railway, as well as synagogues, businesses, and the British consulate in Istanbul. In year two, they struck a resort in Kenya, nightclubs in Bali, and Western citizens in Casablanca and Riyadh. And in year one, even as we waged a massive counterattack in the aftermath of 9/11, they managed to savage a synagogue in Tunisia.

There is a pattern here—but the U.S. government seems to be incapable of detecting it. We have met the enemy, and it is militant Islam. Yet we refuse to acknowledge that fact, pretending that the enemy is "terror"—a method of attack—rather than the terrorists who employ that method. The latest expression of our refusal to identify the enemy is our ongoing debate over "racial profiling." One cannot listen to this debate without wondering whether three decades of political correctness have undermined not only the common sense necessary for survival, but our will to survival itself.

I was on a panel some months ago with a top official from the Department of Homeland Security. After reeling off three now-infamous but manifestly non-Arabic names—Richard Reid (the "Shoe Bomber"), John Walker Lindh (the "American Taliban"), and Jose Padilla (allegedly a would-be "Dirty Bomber")—the official offered to that room full of idealistic law students the cheery lesson our government has drawn: You can't construct a terrorist profile because the monsters come in all colors, shapes, and sizes. As I listened to this absurdity, I couldn't help but think of Muggsy Bogues, the five-foot-three-inch dynamo of a point guard who lit up pro-basketball arenas for years. I hope that if some exigency ever impels the Transportation Safety Administration to put together an NBA team, the agency will not think "Muggsy" and scour the land for Lilliputians.

Terrorists—particularly those who are likely to attack—have a profile. They are Muslim males, overwhelmingly young adults of Middle Eastern and North African descent. That doesn't mean everyone who falls into that profile is a terrorist. Nor does it mean that every terrorist will fit the profile—you will get the occasional Reid, Lindh, or Padilla. But so what? A profile is not a judgment of guilt. It is not even an accusation of guilt. It is an investigative tool. It enables law enforcement to organize suspicions and husband resources rationally, in a manner related to a known threat. It is not foolproof, but no one who utilizes it is under any such misimpression. Its point is not to cast aspersions but to improve the odds of thwarting an attack the fallout of which could be catastrophic. It is essential in any strategy aimed at preventing a strike rather than prosecuting the guilty after the victims have been slaughtered.

Profiling is not congenial to our tender postmodern sensibilities. Nonetheless, it is legally inoffensive, at least under federal law. To be sure, the Fourteenth Amendment guarantees all persons equal protection. Yet this has never meant anything so absurd as that government must in all circumstances regard everyone as the same. The state routinely, and quite properly, makes common-sense distinctions: A seven-foot-tall naval officer may be ruled ineligible for duty in the tight confines of a submarine; women are excluded from combat missions; members of both sexes may be barred from employment as firemen or police officers if unable to meet physical-strength criteria; and so on.

Moreover, if the state interest at issue is compelling enough, even suspect dis-

Mr. McCarthy, a former federal prosecutor, is a senior fellow at the Foundation for the Defense of Democracies, and a contributor to National Review Online.

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tinctions such as these based on race or ethnicity are permissible. The Supreme Court has recently held that states may use race and ethnicity as grounds for denying qualified Americans admission to universities—and for no better reason than to achieve a critical mass of student diversity. How much more compelling is our interest in saving lives?

The Supreme Court has long recognized the security of the governed as the highest imperative of government. The Constitution, as Justice Robert Jackson famously observed, is not a suicide pact. If a profound threat stems from a particular group, the government may take that fact into account when deciding how to marshal its resources. The government has no less than a duty to do so, and until recently this duty was carried out without much controversy.

It has, for example, been established federal law since the Alien Enemies Act of 1798 that, in a time of declared war, the United States may imprison or deport nationals of enemy nations. (What was excessive about internment camps during the Second World War was that they included American citizens of Japanese descent; there was nothing objectionable in principle about holding Japanese, German, or Italian nationals.) In the War on Terror, the enemy is a global network rather than a nation—but that complication hardly extinguishes the underlying principle: Those whose allegiance may lie with the enemy must be subject to greater scrutiny.

This line of thinking is not exclusive to wartime considerations. The mafia has historically been a syndicate composed of males of Italian descent. In the prosecutions of the 1980s and 1990s that shattered the mob, the Justice Department did not cast its net widely enough to snare octogenarian Guatemalan grannies; it made Italian heritage part of the profile. Likewise, the Westies were a Hell's Kitchen–based Irish mob; in dismantling it, the government did not target, well, Muggsy Bogues. Ditto for Chinese tongs, Colombian drug cartels, Russian organized crime, Nigerian scammers, and the entire gorgeous mosaic of crime.

Criminal conspiracies, like much concerted activity (including much that is socially beneficial), tend to be ethnic and cultural. Government was never expected to ignore that reality when the worst consequence of misdirected attention might have been a gang murder or a kilo of cocaine slipping into the stream of narcotics traffic. Why would anyone think the blinders should go on when the consequence could be mass homicide—tens or hundreds of thousands of deaths—in a WMD attack?

Our chariness about profiling is best seen in post-9/11 airport procedures and, following the London tube bombings, in New York City's subway searches. As to the former, one sees its absurdity by imagining an international network of old ladies intent on carrying out suicide strikes. Does anyone think the TSA would have the nerve to subject young Muslims to aggressive secondary screening at the nation's airports? Yet, in our current war against militant Muslims, no one—not children, not aged invalids—is immune from overwrought intrusion, lest we be thought inhospitable to the genus exclusively within which lies the barbaric species aiming to destroy us.

In our current war against militant Muslims, no one—not children, not aged invalids—is immune from overwrought intrusion.

The NYPD's subway searches, meanwhile, are ludicrously benign. To forfend claims of profiling, the cops are reacting to militant Islam's atrocities by randomly stopping approximately every tenth person carrying a bag. (Query: Why is it kosher to discriminate against bag-carriers? Don't they have a lobby?) Further underscoring that this is a gesture, not a strategy, the police announce their presence at a particular station ahead of time; real bombers need only tote their bags a few blocks to the next stop. And no one who has the misfortune of being stopped is forced to undergo a search—if you object to opening your knapsack, the police will leave you alone, although you will not be permitted to board a train. No profiling, no searches, and no effectiveness.

Yet the NYPD is still being sued by the New York Civil Liberties Union. NYCLU's complaint, after mouthing that "concerns about terrorism of course justify—indeed, require—aggressive police tactics," argues that the searches violate the Constitution because they lack individualized suspicion. It then argues that they could easily lead to such suspicion, and to profiling—which would, conveniently, also violate the Constitution.

This attempt to have it both ways, consistency be damned, is lunacy run amok. In fact, *not* focusing on those who pose a danger is flagrantly to violate civil rights: specifically, the right of the vast majority of Americans to be free from unreasonable searches.

Which is to say nothing of the right to life of everyone we are failing to protect. Until we stop pretending not to see what the terrorists who are attacking us look like, we may as well give them an engraved invitation to strike again. **NR**

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■ AT WAR II

The Right Fight

Put security dollars where it counts

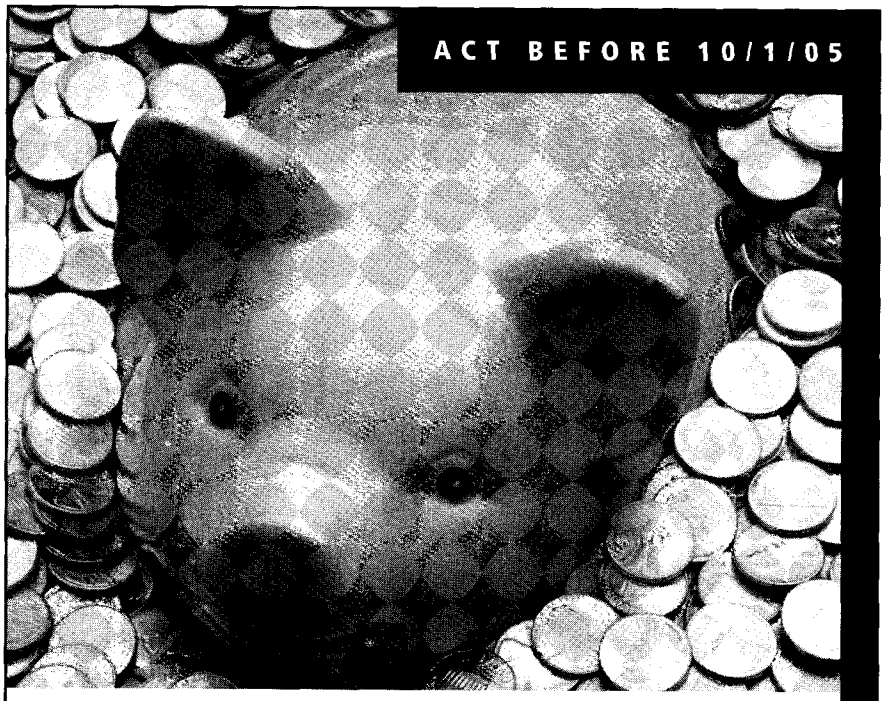
VERONIQUE DE RUGY

THE surest way for a mode of transportation to get a boost in federal funding is for it to suffer a terrorist attack, anywhere in the world. When coordinated bombings on the Madrid train system killed 191 people in March 2004, the U.S. Congress immediately created a $150 million grant program for transit and rail security. Now, in the aftermath of the recent attacks on the London subway system, lawmakers are pushing for more. Sen. Judd Gregg, Republican of New Hampshire, proposes an increase of $100 million. Other senators want more: New York Democrat Chuck Schumer talks of $200 million, Alabama Republican Richard Shelby has called for $1.2 billion, and New York Democrat Hillary Clinton wants $1.3 billion. Of course, all of those numbers pale in comparison with the $6 billion sought by William Millar, president of the American Public Transportation Association.

Advocates of such proposals often point to the gap between spending on aviation security and transit security, but that is the wrong way of looking at the problem. Since the number of possible attacks is unlimited, while the resources we can devote to preventing them are very limited, spending decisions should involve careful cost-benefit analysis. Not every preventive measure is worth funding, and the greatest risks must be addressed first and most intensively.

While members of Congress often overlook this common-sense principle, homeland-security secretary Michael Chertoff has made it the foundation of his department's philosophy. On July 14,

Veronique de Rugy is a research scholar at the American Enterprise Institute.



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he explained why he wouldn't change his transit-security policy based on a single event, telling a reporter: "The truth of the matter is that a fully loaded airplane with jet fuel, a commercial airliner, has the capacity to kill 3,000 people. A bomb in a subway car may kill 30 people. When you start to think about priorities, you are going to think about making sure you don't have a catastrophic thing first."

His comments drew sharp criticism, mainly from Senate Democrats representing metropolitan areas with mass-transit systems. They argue that such systems are vulnerable to terrorists, as demonstrated by the Madrid and London bombings. But all transportation systems have inherent weaknesses; if the justification for federal intervention were vulnerability, every mode of transportation would qualify, and we would quickly run out of funds.

The truth that most people ignore is that not all terrorist attacks have the same consequences. The September 11 attacks claimed close to 3,000 lives in New York City. In comparison, a successful attack on the Washington, D.C., subway might kill 60 people; and, at the other end of the spectrum, the detonation of a less-than-perfect one-kiloton nuclear bomb in lower Manhattan would—in the estimate of the Federation of American Scientists—kill at least 200,000 people.

A glance at these numbers makes it clear where our priorities should be—but federal priorities have a way of defying logic. In the last four years, the Department of Homeland Security has spent $250 million on transit security and $18 billion on aviation security, suggesting that these priorities have been ranked roughly as they should be. During the same period, however, total spending on nuclear-threat reduction by the Department of Homeland Security, the Department of Energy, the Department of State, and the Department of Defense was just $4 billion, despite the fact that a nuclear bombing would be worse by several orders of magnitude than even the worst September 11–style attack.

Our homeland-security strategy should be altered to reflect the true dimensions of the different types of threat. Furthermore, we should assign the responsibility for addressing a particular threat to the entity most able to reduce it, and most likely to benefit from its reduction. Espionage, intelligence, and border protection benefit all of the states, so the federal government should invest in them. But the benefits of protecting subways and buses are enjoyed by the residents of a particular state, so these investments should be made at the state level. (That is not to deny the possibility that the entire economy might suffer if the subway in Washington, D.C., were hit by a terrorist strike, but rather that the *principal* economic impact of such an unfortunate event would be felt locally.) Moreover, most transit systems are regulated and supervised by state and local authorities, and it is local law-enforcement officers who understand their unique design characteristics. They are therefore more qualified than federal agents to protect them.

If the justification for federal intervention were vulnerability, every mode of transportation would qualify, and we would quickly run out of funds.

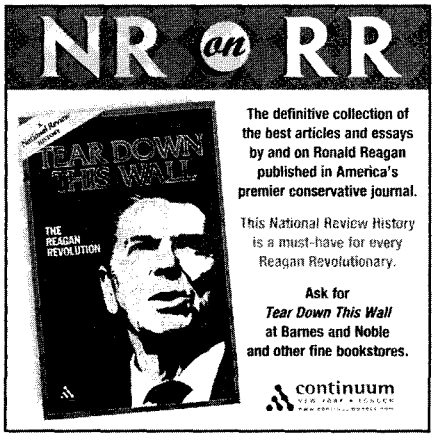
It's noteworthy that state and local authorities dedicate little of the billions of dollars in federal grants they receive to mass-transit security. If they really think protecting mass transit should be a higher priority, they can begin by allocating more funding to that goal. In any case, throwing money at transit security is unlikely to help much. The London subway system is considered one of the best-protected in the world, required as it was to endure the threat of bombings by Irish Republican Army terrorists. Yet it was attacked twice in recent weeks, and the second attempted bombing—foiled only by a malfunction of the bombs' detonators—took place while the subway system was in maximum-alert mode.

It isn't surprising, then, that many analysts think options for preventing such attacks are limited. The difficulty of safeguarding subway stations follows from the fact that they are designed to be very open and give people quick access. You simply cannot install airport-style security screening in them without rendering them unable to perform their intended function.

So what is the solution? The attacker always has the advantage of choosing where to attack, and terrorists will look for weaknesses in our defenses just as Hitler's army sidestepped the Maginot Line. Consequently, intelligence gathering and counterintelligence are often the most cost-effective defense. The federal government should accordingly devote a large portion of its homeland-security funds toward preempting attacks before they are set in motion. The second-best solution is to mitigate the damage caused by an attack. Without knowing where or how an attack will occur, authorities can lower expected damage by developing plans to manage the attack's aftermath. In the case of a subway bombing, for instance, such plans might include developing effective means of evacuation, placing emergency equipment within easy reach, and training personnel to respond to emergencies.

Sen. Jeff Sessions, Republican of Alabama, has also made a helpful proposal: He would toughen penalties—and allow the death penalty—for attacks on mass-transit systems. While it is true that suicide bombers have little fear of execution, it is not necessarily the case that everyone who might attack a subway intends to die in the process. Such people can be deterred at little cost.

The surest way to obstruct the development of a successful defense against terrorist attack is to let our policy be guided by a series of knee-jerk reactions. Unfortunately, that is precisely what Congress is engaging in today. Until money is allocated on the basis of sound cost-benefit analysis, we will become poorer, but no safer. **NR**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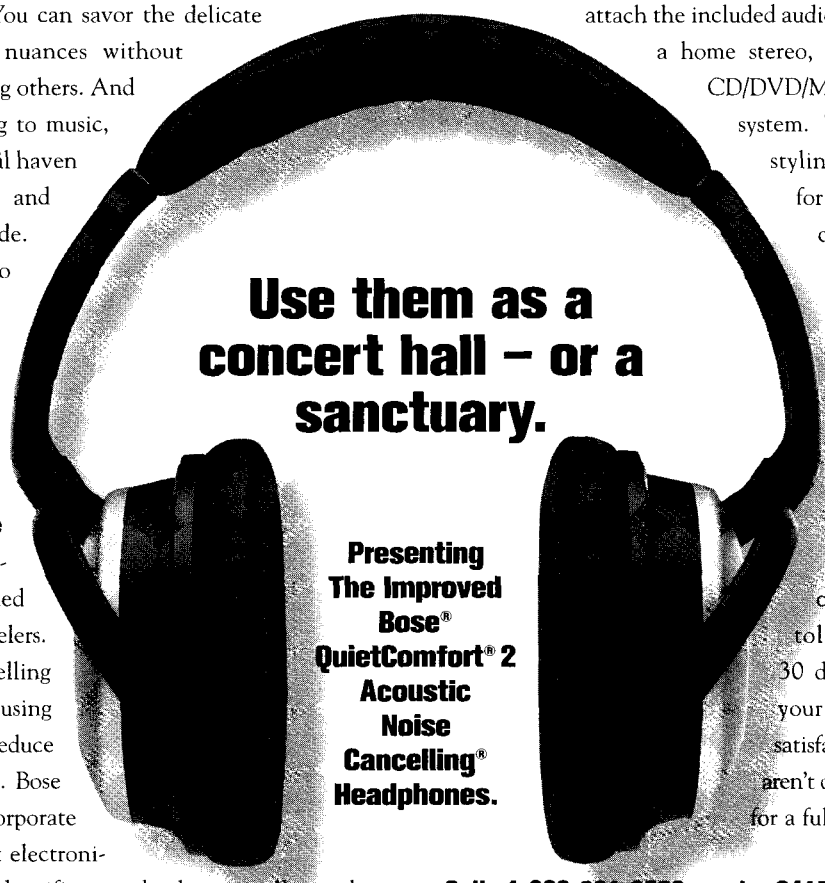

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■ CAPITOL HILL

Strangle Holds

Does the Senate realize we are at war?

KATE O'BEIRNE

"This post is too important to leave vacant any longer, especially during a war," President Bush declared, announcing his recess appointment of John Bolton to the U.N. ambassadorship. Bolton, who was stalled for months by a high-profile Senate filibuster, is finally at his post in Turtle Bay, but crucial nominees to the Defense and Justice Departments remain in a low-profile limbo, at the mercy of senators who are blocking their nominations because of assorted beefs with the Bush administration. The executive branch might have a war mentality, but it's September 10, 2001, in the Senate—where partisanship, politics, parochialism, and—in Sen. Trent Lott's case—Pascagoula remain paramount.

"For the Senate to conduct business as usual with the nation at war, especially at Justice and Defense, is so outrageous," says a frustrated administration official, regarding the stalled nominations. "They do not see the nation at war; that's a real difference between this president and Congress."

The Senate recessed for August without confirming nominees for either the number-two spot at the Defense Department, or its undersecretary for policy. The assistant secretary for international security policy, whose nomination has been pending for over a year, also wasn't approved. John Negroponte, the director of national intelligence, remains without a general counsel; the nominee to the post is waiting in the ether. The Justice Department's criminal division has been without a chief for three months, despite personal pleas from attorney general Alberto Gonzales to confirm the nominee during a crucial period in international terror investigations. The disputes that have blocked these confirmations have nothing to do with the nominees' qualifications or suitability.

While there is no Senate rule that permits a single senator to stall indefinitely the approval of a nominee, senators are able to delay a confirmation vote by placing a "hold" on pending nominations. A hold indicates that a senator wants notification that a nominee is going to be considered on the floor and serves as a threat to filibuster final action by the Senate. A senator's bluff is rarely called; typically, he is persuaded to lift his hold after negotiations over the dispute that prompted it.

A Senate veteran explains that while a hold on an administration's nominee can be a useful tool to "bring cabinet members down to earth and make them more responsive to the legitimate concerns of Congress," they are clearly subject to abuse.

Sen. Carl Levin of Michigan, for example, placed holds on Peter Flory, nominated over a year ago to be head of the DoD office responsible for nuclear policy, nonproliferation, and arms control (a position that had itself been vacant for a year), and Eric Edelman, a career diplomat who is slated to replace Douglas Feith as DoD's undersecretary for policy. Levin doesn't object to the nominees he's single-handedly stalled: He's held them hostage to pressure the Pentagon into releasing more documents related to prewar intelligence. "It's a pity this is the way the Senate has to deal with this administration," he told the *Washington Post*. But the Senate as a whole doesn't share his view; both nominees enjoy broad bipartisan support.

The Pentagon explains that Senator Levin has been given "significant volumes of documents" and points out that the Senate Select Committee on Intelligence has thoroughly reviewed the Defense Department's role in analyzing prewar intelligence. An angry GOP Senate aide sees only partisanship in Levin's obstruction: "He's saying 'bring me more truckloads of documents' while others fight the war." An administration source points out that "senators have no responsibility for running the war; they only get to kibitz [about] it."

When the Senate recessed in August without confirming Peter Flory, the president used a recess appointment. Sources expect Bush to do the same with Eric Edelman.

Navy secretary Gordon England's nomination to replace Paul Wolfowitz as deputy secretary of defense was stalled for months over concerns about his private-sector pension, owing to the Senate Armed Services Committee's idiosyncratic conflict-of-interest policy. After frustrating months of delay, committee chairman John Warner finally put the pension concerns aside, noting that "the secretary of defense deserves a full deputy in wartime, although the issues have not been resolved." But England's confirmation was again blocked as it was heading out of the committee. Senate tradition permits anonymous holds, and Sen. Olympia Snowe admitted that she was responsible—which leaves Don Rumsfeld without a permanent right-hand man. The Maine senator is holding Gordon England hostage to protest the Pentagon's proposal to close the Portsmouth Naval Shipyard.

In his perennial protest over anything that threatens a single federal dime to Pascagoula's shipyards, Mississippi Sen. Trent Lott placed a hold last March on the designated chairman of the Pentagon's congressionally approved Base Realignment and Closure Commission (BRAC). President Bush quickly used recess appointments to install the chairman and eight commission members, who have only a few months for hearings and consultations before submitting a final list of recommended closures and consolidations. Even during a war, Lott tells audiences back home that he doesn't feel beholden to anyone in Washington after being deposed as majority leader. "I feel perfectly at liberty now to shoot at anyone," he reportedly told local Rotary Club luncheon guests recently.

ROMAN GENN

Sen. Carl Levin

The legal front in the War on Terror has also sustained casualties at the hands of individual senators. The top job in the Justice Department's criminal division has been vacant for three months. Alice

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Peace in the Holy Land

Does Israel's "intransigence" stand in its way?

Many hope and believe that at long last peace in the Holy Land may be at hand. And that if it were not for Israel's intransigence, for its unwillingness to make "concessions," peace could have been attained long ago.

What are the facts?

Endlessly repeated myths. The myth that Israel's "occupation of Arab lands" is the root cause of the conflict is just that – a myth! Arabs have been slaughtering Jews long before the "occupation," long before the creation of the State of Israel in 1948. In 1929, for instance, Arabs killed 133 Jews and wounded 399 in Hebron. Those who were not killed fled, making the city, where Jews had lived for centuries, judenrein. The Mufti of Jerusalem met in 1941 with Adolf Hitler and declared his kinship with Nazi Germany because "we have the same enemy as Germany, namely the Jews."

> "Arabs...are the cause for this unending war. Unless and until that mindset changes, things will not improve."

Palestine, which incorporated what is now the Kingdom of Jordan, had been part of the Ottoman (Turkish) Empire for centuries. After World War I, Britain was given the Mandate over Palestine, which, in accordance with the Balfour Declaration, was to be the homeland for the Jewish people. This was formalized by the League of Nations and by the 52 nations that comprised it. In 1922, in violation of its Mandate, the British severed all the lands east of the Jordan River – 80 per cent of the Mandate – and gave it to the Arabs who, under the Hashemite rulers, created the Kingdom of Jordan. The Jews acquiesced to this betrayal. Britain finally relinquished its Mandate in 1947 and turned its responsibility over to the United Nations. They came up with a partition plan, by which the Arab sector was to be a contiguous land mass and the Jewish sector three discontiguous pieces. Jerusalem, located in the very center of the Arab sector, was to be "internationalized." Most of the Jewish sector was the desolate Negev desert. The Jews accepted this plan. But the Arabs rejected it out of hand and invaded the nascent Jewish state with the armies of six nations. It cost thousands of lives and caused over 650,000 Arabs to flee. Had the Arabs compromised, they would now have had their state since 1948.

Unending Arab aggression. In the Six-Day War of 1967, Israel again defeated the combined Arab might and remained in possession and administration of the Golan Heights, of Gaza, of Judea/Samaria (the "West Bank"), of the Gaza Strip and of the entire city of Jerusalem. Israel had no intention of staying in possession of these territories. It waited for the Arabs to make proposals for peace, but that was not forthcoming. On the contrary, the Arab League met at Khartoum and promulgated their "three no's": no peace with Israel, no negotiation with Israel, and no recognition of Israel.

On Yom Kippur of 1973, Egypt and Syria once again attacked Israel. And again, the heroic people of Israel defeated the combined Arab armies and drove across the Suez Canal and to within miles of Cairo. In the aftermath of that war, Egypt's president Anwar Sadat came to Jerusalem and spoke to the Knesset, Israel's parliament. He offered a peace treaty, but imposed very tough conditions, among others, the return of the entire Sinai, with the cities that Israel had built; the return of the oil fields that Israel had developed (and which would have made it energy-independent for the foreseeable future); and relinquishing the strategic mountain passes and early warning systems that protected Israel against any future attack. It was the first time in recorded history that the vanquished imposed conditions on the victor. In what was obviously a major act of folly, and once again in its incessant quest for peace, Israel agreed to recognize the murderous PLO, invited it back into Palestine from its exile in Tunis and signed the Oslo Accord, by which governmental authority was to be bestowed on the Palestinians. But instead of accepting the outstretched hand of peace, the Palestinians launched their "intifadas," which have cost thousands of lives and which have left the Palestinians impoverished and with their economy in shambles.

The above is a mere outline of the "peace process." In 2000, under the stewardship of President Clinton, Israeli Prime Minister Ehud Barak made unprecedented concessions for the sake of peace: 98 per cent of the land that the Palestinians requested, control over most areas of eastern Jerusalem, and authority over the Temple Mount. To the dismay of Clinton, Arafat curtly rejected this dramatic offer, under the pretext that Israel would not accept the "return of the refugees." That would have spelled the end of Israel as a Jewish state.

Israel's "intransigence?" No way! At every turn in this almost 100-year strife, Israel has offered compromises and concessions. The current folly, withdrawing from Gaza, is the latest example of that. Arabs, whose almost exclusive concern is the destruction of Israel, are the cause for this ongoing bloodletting and this unending war. Unless and until that mindset changes, things will not improve. But such a change of mindset does not appear on the horizon.

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Fisher, who served as deputy to Michael Chertoff when he headed the office, was nominated to the post in early April. Fisher easily cleared the Judiciary Committee, but a hold was placed on her nomination by none other than Carl Levin. "Void at Justice," a *Newsweek* headline blared. Justice Department officials talked about the "serious vacuum at the upper levels of the department" during probes of the London and Egypt bombings.

In Fisher's case, Levin refuses to be satisfied that she knew nothing about FBI criticisms of alleged interrogation methods at Guantanamo Bay. Yet Fisher had in fact left the Justice Department almost a year before an agent raised concerns in a May 2004 e-mail. (Levin is demanding an interview with the e-mail's author.) In a show of bipartisanship, Sen. Charles Grassley, an Iowa Republican, also had a hold on the Fisher nomination while he tormented the FBI over issues completely unconnected to her.

Levin has yet another hold—on Benjamin Powell, who was nominated to be John Negroponte's general counsel in June. This hold is particularly vexing: The legal impediments to intelligence-sharing are among the thorniest problems facing the reorganized intelligence community.

A final example: With James B. Comey's departure this month from the post of deputy attorney general, the White House has nominated Timothy Flanigan, who was deputy White House counsel under Alberto Gonzales, to replace him. Flanigan was general counsel for Tyco International after leaving the White House in 2002, and during his confirmation hearing in July, Sen. Dick Durbin raised questions about a lobbying connection Tyco had with Jack Abramoff, the controversial lobbyist currently under investigation for unrelated dealings. The temptation to score political points by attempting to link Flanigan, a former Supreme Court law clerk, with the beleaguered lobbyist might prove irresistible to Democrats—and thus result in a further hobbling of the Justice Department with still another hold.

In war, an enemy will sometimes take hostages to secure an advantage. But in the Senate it's worse: Even purported allies will do it. **NR**

■ THE MEDIA

Radiogate

Low ratings and a scandal hit Air America

BYRON YORK

UNTIL a few weeks ago, the biggest worry for executives at Air America was what to do about the liberal radio network's alarmingly low ratings. Launched amid much hype on March 31, 2004, Air America, with Al Franken, Janeane Garofalo, Randi Rhodes, and a host of other anti-Bush personalities at the microphone, has, with the exception of a few cities, had great difficulty finding an audience. Even in New York, where the network's true-blue message should be welcome, its daily average ratings are actually lower than those of the Caribbean talk-and-music station it replaced a year and a half ago.

That would be bad enough. But now Air America finds itself fielding questions not only about its ratings but about its connection to a Bronx-based children's charity known as the Gloria Wise Boys & Girls Club. In early July, a little-noticed local online journal, the *Gotham Gazette*, reported that New York City's Department of Investigation (DOI) was looking into the diversion of "hundreds of thousands of dollars" from the Gloria Wise club to Air America. The first figure was around $450,000, but it now appears that $875,000 was transferred from the taxpayer-and-contribution-supported Gloria Wise club to the struggling radio network.

It apparently happened during Air America's chaotic first few weeks of existence, when it was financed by an investor named Evan Cohen, who gained control of the network by saying he would invest enough money to keep Air America going for at least three years—when in fact he barely had enough to keep it going more than a few weeks. That became abundantly clear when, in Air America's second month of existence, its payroll checks bounced. Cohen had a connection to Gloria Wise and somehow convinced the charity to give Air America a desperately needed cash infusion. (The club's top officer has since left, and the club is now under investigation.)

Even with the money, the network almost went under; it was saved only when Cohen made a hasty departure and some of Air America's original investors, who had been forced out upon Cohen's arrival, returned to the project and brought money anew. Air America survived, and executives thought that they had weathered the Evan Cohen storm. But now it is back, in the form of the Gloria Wise probe.

Air America quickly blamed the scandal on Cohen and the old management, which was known as Progress Media. "The current owners of Air America Radio have no obligation to Progress Media's business activities," the company wrote in a press release. "We are very disturbed that Air America Radio's good name could be associated with a reduction in services for young people, which is why we agreed months ago to fully compensate the Gloria Wise Boys & Girls Club as a result of this transaction."

But as much as Air America might want to attribute all its troubles to one bad guy, there are serious questions about how the current network management has handled the situation. Two questions seem particularly urgent: First, when did Air America learn about the $875,000? And second, will it fully repay the money?

Recently NATIONAL REVIEW asked Air America president Jon Sinton—the only network executive who has been with Air America for its entire life, including the Cohen period—whether he knew about the Gloria Wise matter at the time it was happening. The answer wasn't entirely clear.

"It was hard to know what was happening," Sinton said. "Did you see the HBO special?" Sinton was referring to *Left of the Dial*, a documentary made during Air America's turbulent first months. Intended to be an admiring account of the new network, it ended up a chronicle of Cohen's shenanigans. "Only he knew what he was doing," Sinton said of Cohen. "The way he represented things was that it was all his money, so we were all quite surprised on April 28 [2004] when suddenly we didn't have any payroll. . . . Every day after he left, it was kind of Cracker Jack—there was a surprise in every box."

But when, exactly, did Sinton find out

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about the Gloria Wise matter? "I would have to say that it probably came on our legal radar in the fourth quarter of last year," he answered. Sinton explained that, just to be safe, Air America conducted a "forensic accounting" during the last quarter of 2004. It was during that self-examination that the transactions with Gloria Wise were discovered.

But representatives of Gloria Wise tell a different story. Spokesman Jim Grossman told NATIONAL REVIEW that Gloria Wise officials realized that the money was gone in May 2004, which was several months before Air America says it learned about Cohen's deal. Did Gloria Wise officials, upon discovering that there was a problem, then get in touch with Air America? "They notified Air America right away," Grossman said. "The next day, or the day after: There was no delay."

Well, which was it? Told about the Gloria Wise statement, Sinton called back and said, "I had my timing wrong." The forensic accounting actually took place in May 2004, he said, during the second quarter of the year, rather than the fourth quarter—that is, it occurred immediately after Cohen left. "I'm trying to remember if I knew about this before the forensic report came out," Sinton added. "The combination of 14-hour days and 7-day weeks has taken its toll on me." But he stressed that Air America is being straight: "Our edict around here is to tell the truth, and I don't want anybody to get the sense that we're fast and loose with it."

Whatever the case, there is still the other big question: Will Air America fully repay the money? Again, the answer is not clear. Despite the network's claims that it will reimburse Gloria Wise, it has so far declined to write a check for $875,000. Instead, it entered into a long period of negotiations to arrange a schedule in which the money would be repaid over an extended period of time. But paid to whom? With Gloria Wise under investigation, the Department of Investigation advised Air America to put the money into an escrow account instead of giving it directly to Gloria Wise. Air America says it has deposited its first payment into that account.

But not in the way the DOI suggested. When the network said it had made the payment, the DOI released a statement that said: "DOI advised Air America to repay $875,000 into an escrow account from which no money can be disbursed without DOI's approval. Air America has not followed that recommendation. DOI was informed 8/5/05 that Air America's check for $50,000 was deposited into Air America's attorney's escrow account. No provision has been made for DOI to approve disbursements from that account." One doesn't have to read between the lines to see that the Department's statement calls into question Air America's good-faith gesture to reimburse Gloria Wise.

That's where the matter stands now. But even if the Gloria Wise issue is resolved with no further damage to Air America, the network still has those ratings to worry about. And the outlook, while perhaps not disastrous, is not very encouraging.

Even if the Gloria Wise issue is resolved, Air America still has those ratings to worry about.

The ratings have not been kind to Air America's flagship station, WLIB in New York. In spring 2004, when WLIB broadcast a mixture of Caribbean music and talk, it won a 1.3 percent share of the New York audience. In summer 2004, after the much-advertised switch to Air America, WLIB's share rose to 1.4 percent. Then it fell to 1.2 percent in fall 2004, and stayed at that figure in winter 2005. Spring 2005, which ended on June 30, has seen its rating fall further to 1.0 percent—significantly below spring 2004.

The situation is similar in a number of other cities, although Air America is on the air only in about 70 markets—just a fraction of those reached by conservative radio king Rush Limbaugh. Given its expenses—Al Franken, for example, is paid at least $1 million per year—Air America almost certainly needs better ratings than it currently attracts if it is to survive.

It is not surprising, then, that network executives are a little sensitive about the ratings. For all the positive coverage they have received in venues like the *New York Times*, Air America executives feel that the network has not been given a fair shake in a number of articles about the ratings—including some in NATIONAL REVIEW. So NR asked Sinton to list five places where the network is doing well. He was happy to answer. "Portland, Oregon, is a big success," he said. "We are especially happy about Denver. . . Miami is a great success story. . . Phoenix had a nice increase. . . We absolutely love the growth in Los Angeles."

Portland, Oregon—perhaps America's most liberal city—is indeed a big success for Air America. The station KPOJ had a 3.7 share of the audience in spring 2004, before switching to liberal talk. It rose to 4.0 percent in summer 2004 with Air America. Then, after falling a bit in the next two quarters, it surged to a 4.5 share in spring 2005—a clear improvement over its pre-Air America performance.

Denver is another bright spot. In spring 2004, KKZN had a 0.5 percent audience share. It switched to Air America during the summer 2004 period, and its share rose to 0.9 percent. Then it jumped to 1.6 percent in fall 2004—and then to 2.0 percent in spring 2005.

In Miami, WINZ has gone from a 0.7 percent share to 2.0 percent under Air America. In Phoenix, KXXT went from what was essentially zero percent of the market to a 1.1 percent share. And in Los Angeles, where Air America has been on the air only since February, KTLK has gone from 0.3 percent to 0.8 percent.

As Sinton said, all those numbers indicate growth. But in a number of cases, they indicate growth that began virtually at zero. For example, a recent Air America press release touted "73 percent growth" in one audience segment in Los Angeles. But that growth began at a very, very low baseline—almost no audience at all. So Air America could improve greatly on that number—double or triple its audience—and still not attract enough listeners to make money. And whether this type of increase can sustain the network is an open question.

And now there is the Gloria Wise scandal to contend with. So far, the scandal has attracted attention mainly in the blogosphere (where it owes much of its momentum to radio veteran and sometime-talk-show-host Brian Maloney, who runs a blog called The Radio Equalizer). The story shows no sign of going away, and it seems likely that it will one day find its way into the big newspapers—the latest leg of liberal radio's rocky, rocky ride. **NR**

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■ THE MIDEAST

Unsettled Settlers

Will Sharon's bold move work?

DAVID PRYCE-JONES

ARIEL SHARON's career as prime minister of Israel is just now reaching a climax, and its outcome will establish him either as a leader who protected his country's precarious security or, on the contrary, as someone who endangered it unnecessarily. For decades now, Israel has been attempting to find accommodation with the Palestinians by whatever means were possible, ranging from the softness of international diplomacy and appeasement to the harshness of military measures. Nothing has worked.

Palestinians have proved themselves to be neighbors unwilling or unable to live on peaceful terms. In this dilemma, some Israelis conclude that they have to surrender more and more to Palestinian demands, others that they must be harsher still. These conflicting visions of the future tend to political paralysis, and Sharon is obliging the nation to make up its mind, and even to face its destiny. Israelis and Palestinians have to separate as much as possible, as he sees it, and go their own ways.

Sharon's overall strategy is clear and considered. He has set about erecting a security fence to keep terrorists at bay along the West Bank border with the Palestinians, and he intends to evacuate a handful of settlements and 300 square miles there. On the other border, the Gaza Strip, he has ordered the abandoning of all 20 or so Israeli settlements, involving about 8,500 people, a minority always difficult and expensive to guard in the midst of at least a million Palestinians, two-thirds of whom live below the poverty line. The logic cannot be faulted.

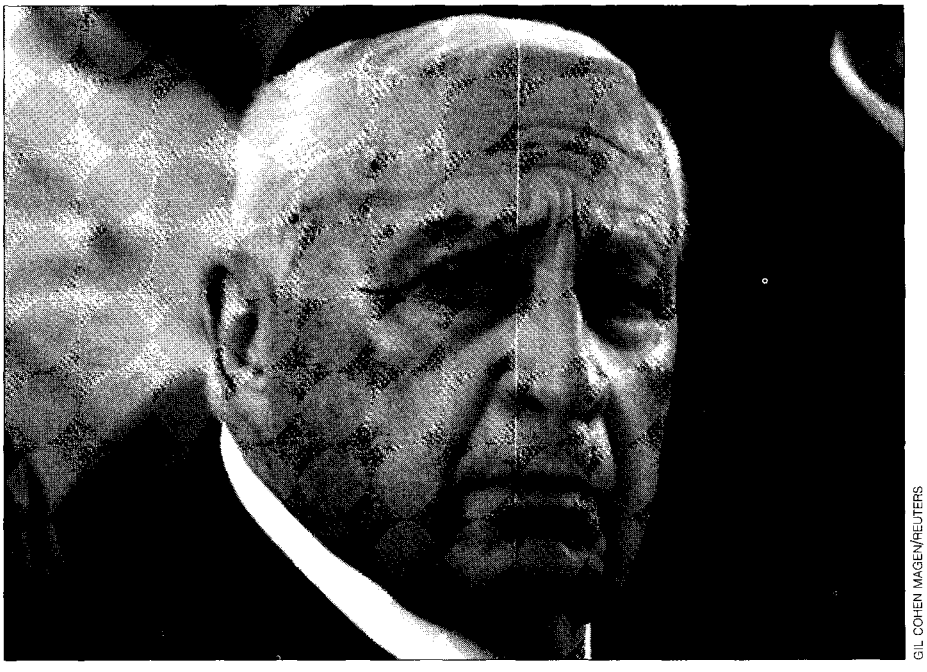
Previously, nobody in Israeli public life had done more than Sharon to encourage settlers both on the West Bank and in Gaza. This, he always maintained, was in accordance with Zionist ideology. Riding roughly over political or moral objections, he had cut so many corners that settlers had every justification in assuming that he would be their man through thick and thin, and they voted for him and his Likud party. The decision to pull out settlements has been met with absolute disbelief. More than a reversal of policy, here is a negation of the Zionism that Sharon has hitherto embodied; but opinion polls at first showed that over two-thirds of the country was in favor of disengagement.

Another politician might have called for a general election, or at least a referendum, on an issue affecting not just security but essential identity. That is not Sharon's style. He is first and foremost a general. As a tactical move, he asked his Likud party members to vote on his plan. Unsurprisingly, they voted it down. Undeterred, Sharon engineered a political earthquake in the course of which he broke his own Likud, fired cabinet ministers, and formed a coalition with the Labor opposition—which ironically had been almost wiped out in the previous election for advocating exactly this sort of disengagement. Natan Sharansky, the former Soviet dissident and an author very conspicuously approved of by President Bush, resigned on the grounds that Israel was receiving no concessions from the Palestinians in return for removing the settlements. Late in the day, Bibi Netanyahu, finance minister and a possible successor to Sharon, resigned on the grounds that disengagement is compromising security. The logic of these two also cannot be faulted.

In the run-up to August 17, the date set for the pullout, Sharon chose not to conciliate or even to enter into discussion. He has appointed a disengagement administration to supervise his plan, in particular the compensation to be paid to the evacuated settlers. His national-security adviser, a retired general, runs a parallel steering committee that in effect militarizes what is to happen.

Invariably described as right-wing, hard-line, religious fanatics, or nationalist extremists, the settlers are for the most part normal and reasonable citizens who earn these brickbats from the media because they are held to be harming Palestinian interests. They must abandon their homes and businesses, their agricultural greenhouses and community centers and synagogues, even digging up graves to remove their dead. Buses are due to transport them to tent cities or makeshift housing, and that will be that.

For a while the settlers believed that they could mobilize enough support to stay where they were. In their no-holds-barred campaigning on the Internet, Sharon is described as "a despicable trai-



GIL COHEN MAGEN/REUTERS

Ariel Sharon in Jerusalem, August 2005

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tor," and they accuse him of evacuating Gaza only because he has done some shady real-estate deals involving cronies. Coincidentally, the attorney general announced his decision to indict Sharon's son Omri, a member of the Knesset, on criminal corruption charges related to the financing of his father's political campaigning. And even more coincidentally, the World Bank has just released a report that among Western countries Israel is second only to Italy when it comes to corruption and inefficiency. The Israeli Left is in the grip of another of its habitual conspiracy theories; this time the idea is that Sharon is getting the settlers out of the way only as a preliminary to ethnic cleansing of the Palestinians.

In the midst of these hectic rumors that carry implications of violent civil disobedience, Israeli streets are overflowing with rival demonstrators sporting blue or orange flags, T-shirts, and caps according to their convictions, respectively for and against pulling out. As the crunch approaches, the blues (pro-pullout) have only the most slender of majorities in the opinion polls. As many as 50,000 soldiers and police, trained to use force if they have to, are standing by to supervise the eviction. Strong-arm and probably illegal measures already include forbidding assemblies, closing roads, and arresting and holding people, teenage girls among them. In the *Jerusalem Post*, Caroline Glick, one of the most intelligent and articulate Israeli commentators, has written, "These are dark days for Israeli democracy."

"Jews do not expel Jews," in the pointed words of orange bumper stickers. However contradictory their fears and hopes, neither blues nor oranges have yet been able to explain why Palestinian territory must be *Judenrein*, when over a million Arabs live in Israel. Maximizing tension at this point, a mentally unstable 19-year-old Israeli, seemingly a deserter from the army, shot dead four Israeli Arabs on a bus and wounded several others before he was himself beaten to death.

With fearful symmetry, the Palestinians are also unable to decide the significance of the gift Sharon is making them. In the past six months of supposed truce, they have mounted some 800 attacks on Israel, with many more foiled or aborted during the mission. Contending between them for supremacy, the two main Palestinian movements, Fatah and Hamas, have an almost equal share in these attacks—the former in the name of nationalism, the latter as Islamists. As chairman of the Palestinian Authority, Mahmoud Abbas calls for calm while simultaneously, as head of Fatah, he either permits or fails to prevent his men from attacking Israel—a facing-two-ways performance worthy of his dissembling predecessor Yasser Arafat. Hamas is preparing a victory parade, boasting that the Israelis are not leaving freely, but have been driven out. So-called Popular Resistance Committees announce that they are transferring operations from Gaza to the West Bank, and yet more terror will soon complete the elimination of Israel. The Arab press everywhere is claiming that the hated Jews are fleeing, and al-Qaeda ups the stakes by announcing that it has opened a "Jihad Brigade" in Gaza. Amidst the rising anarchy, Abbas has postponed elections, and hooded Fatah and Hamas gunmen are shooting it out on the Gaza streets. Also in the style of Arafat, Abbas has banned local and international reporting of everything that "reflects negatively" on the leadership.

Abbas has asked Israel to destroy everything the settlers have built, but Palestinians are unsure that this will happen, and suspect that anyhow all the real estate will finish in the hands of Fatah strongmen who already monopolize the economy. Nobody knows what agreements, if any, have been reached between Israel and the Palestinians over the operations of the Gaza airport and seaport, over work permits, over access to the West Bank, or over border crossings to Israel and Egypt. The relationship between Israel and the Palestinian Authority stays tenuous and ill-defined.

In theory, the Palestinians ought to put up a statue to Sharon in the middle of Gaza City. He is foisting on them the state they have demanded, even though it is much less than the one about which they have fantasized for so long and so self-destructively. Objectively, there's every reason for them to make something of it, and so eventually extend it to include the West Bank. But in this situation the safest prediction is that emotion drives out all such logic. **NR**

■ AT WAR III

Muddling Through?

Blair's improvisation isn't enough

JOHN O'SULLIVAN

It is the new conventional wisdom of British politics: Tony Blair has been strengthened and energized by the London bombings. Widely depicted only months ago as a lame-duck prime minister limping slowly to retirement, he seized the challenge represented by the menace of home-grown Islamist terrorism and presented himself as the only political leader capable of responding effectively to it. He has now presented a twelve-point plan (old habits die hard) to defeat the terrorists by closing down their websites, deporting them from Britain, and generally making laws to control their activities more closely. That done, he left for vacation. A Nick Garland cartoon shows him using his post-bombing upturn in the polls as a sort of ski-jump, to rise effortlessly above his rivals in Labour and other parties.

Even in its own terms, this picture has one glaring defect: Blair had actually been energized and strengthened five weeks *before* the bombings, by the defeat of the European constitution in the French and Dutch referendums. Blair had been a zealous supporter of the constitution right up to polling day. Defeat changed all that. He arrived three weeks later at the European parliament as the man who would solve the crisis by making the European "social model" more flexible and competitive. He proposed no specific policies that would achieve this wonder; nor has he done so since. On his return to Britain, however, he was generally credited with having converted Europe to longstanding British models of economic and constitutional flexibility. He was enjoying this return to popularity when the bombs went off—and made him even more popular.

On both occasions, Blair had done

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something similar: He had seemed to respond to the crisis with bold moves and eloquent language, while others were dithering. By the time people figured out that there was actually very little solid policy substance in what he had said, Blair was moving on to the next topic. And when the bold policies he had announced began to fall apart, run into obstacles, or gradually evaporate under criticism, it was his subordinates who were left explaining away the difficulties.

Two examples of this occurred very recently. Hazel Blears, a nice but dim junior minister covering community relations, was asked to launch a "charm offensive" on the Muslim community to soothe away its objections to Blair's new security crackdown. She therefore suggested that since multiculturalism had run into trouble, maybe new names should be invented to stress the "British" nature of immigrant communities—for instance, "Asian-British" (on the "African-American" model). This prompted a rash of Asian protests on the grounds that it was patronizing and absurd. The suggestion was withdrawn.

At about the same time, a government leak suggested that maybe radical Muslim clerics who had praised terrorism would be prosecuted for treason. One such cleric promptly left Britain. His spokesman explained that Blair had declared war on Muslims and the sheik had gone to where he could practice his religion without harassment. Whereupon, the Lord Chancellor declared it "highly unlikely" that treason charges would be initiated against anyone or that the government would introduce anything like internment. The sheik promptly announced that he was in Lebanon on vacation and would be returning to London in a few weeks.

These flip-flops invited derision. Not unreasonably, John Denham, a hard-headed former homeland-security minister in Blair's government who now heads the Commons committee investigating the bombings, accused ministers of galloping off in all directions: "The last few days really give the sense that the Government has got into a real state of nerves about the whole thing, displaying a lack of confidence in its own strategy. They have got to get a grip on it very, very quickly, stop floating half-baked ideas and get back to proper cross-party consensus on the serious measures that need to be taken." From a senior New Labour figure, this was very tough criticism. Opposition spokesmen chimed in with criticisms of "confusion" and "government by press release." And the general impression left was one of disarray, incomprehension, and befuddled improvisation at the top.

One senses that Blair is baffled by the scope and nature of the problems of domestic and imported radical Islamism facing him.

This public impression is almost certainly accurate. One senses that Blair, underneath his public mask of self-confident leadership, is baffled by the scope and nature of the problems of domestic and imported radical Islamism facing him. The scope is certainly much larger than anyone had supposed until recently. According to a news report in London's *Independent*, British intelligence has warned Blair that "tens of thousands" of young Muslim men with military training are now in Britain and that terrorism amounting to a domestic "insurgency" cannot be ruled out. Many of these young men are immigrants and asylum seekers from Afghanistan and the Horn of Africa. Their numbers dwarf those native-born British Muslims who went to fight for al-Qaeda in Afghanistan and Iraq. And though they may have come to Britain to escape strife in their native countries, they might be drawn into terrorism if a religious war seemed ready to break out in British cities.

That is a terrifying prospect—even if, as it seems to me, an exaggerated one. But the nature of radical Islamism may baffle and frighten Blair even more than its extent. Nothing in Blair's history or thinking leads one to believe that he has any intuitive grasp of such phenomena. Indeed, all his major think-pieces—his famous Labour-conference speech denouncing "the forces of conservatism," for instance—exhibit a shallow confidence that the world is moving away from old loyalties and beliefs towards some ill-defined post-national and modernized future. What Britain had to do in his view was to respond to this reality by shedding its traditions and distinctive values in order to compete in a high-tech world economy and to welcome the immigrants that a modern economy "needed." It did not occur to him that these traditions might have played a part in unifying the country or in making it impressive and admirable to newcomers. As for concepts such as jihad and movements such as al-Qaeda, these were foreign to him in every sense. He could hardly imagine that they might grow and flourish in British soil—"forces of conservatism" that had grown radical in response to the official multiculturalism that was supposed to accommodate, tame, and transform them. So, in a thousand small ways, he set about deconstructing the British state and society.

Blair's own policies—on immigration, multiculturalism, asylum, and constitutional change—having helped to create the current crisis, now hobble his attempts to deal with it. The Human Rights Act is a particularly intractable problem for him and New Labour. It was the centerpiece of their program of modernizing Britain that included abolishing the House of Lords, establishing Welsh and Scottish parliaments, creating (unwanted) regional assemblies for England, and transferring power from Westminster to the European Union. The European Convention on Human Rights was incorporated in English law under the Human Rights Act—and if Parliament passes other laws in conflict with these provisions, judges are entitled to declare them unconstitutional.

Already frisky before Blair was elected, the judges have used their new powers to overturn immigration rules, release terrorists from prison, extend the rights of citizens to non-citizens, forbid the deportation or house arrest of terrorist subjects, and much else. There is a chance the courts will proclaim that some of the new rules Blair is proposing—for instance, making it illegal to condone terrorism, or deporting terrorists to police states if the states promise not to torture them—are in conflict with the HRA. Blair has quietly suggested that he might amend the HRA

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(and perhaps withdraw from some international conventions) if that were to happen. That would be a vast political embarrassment—an admission that Blair's main constitutional approach was misconceived. It probably won't happen, in part because the judges, in the atmosphere following the bombs, will not want to challenge ministers for a while. Blair will thus get most of his criminal-law reforms through. But the HRA will have to be repealed at some point—not only to fight terrorism but also to rescue Britain's own democratic traditions from ambitious judges keen to get a favorable reference in the *Guardian*.

In the meantime, will Blair's criminal-law reforms make a difference? Some of them might—for instance, deporting terrorists and closing down Londonistan. Others are largely displacement activities, more for show than for utility, such as identity cards (to which the four successful bombers would have been entitled). But the deeper problem is that many young Muslim men, whether British-born or immigrants, regard their principal *political* allegiance to be to Islam. Blair and the government have finally grasped this problem and signaled a retreat from the multiculturalism they now think fostered it.

But a retreat to what? New Labour is ambivalent, at best, about Britain's national identity and institutions. When ministers had to devise a "Britishness test" for citizenship, they came up with questions on the national minimum wage, youth culture, and working rights. There was little or no history, literature, or science, nothing about the nation's remarkable achievements—nothing, in short, to stir the blood or stiffen the sinews. Insofar as anything general could be deduced from the test, the applicant was presumably seeking to join a social-welfare organization of universalist bent.

And that's the problem both for Blair and about Blair. If even the prime minister can't give voice to patriotism, why on earth should a Muslim immigrant or a Muslim kid from a Leeds housing estate feel patriotism, loyalty, and allegiance when the Union Jack is raised—or when a Royal Navy crew rescues Russian sailors from a trapped submarine? NR

■ AT WAR IV

London Falling

Signs of weakness in Britain's War on Terror

ANTHONY DANIELS

When the mayor of London, Ken Livingstone (formerly known as "Red Ken" because of his activities on the far, far left), learned of the bombings in his city that killed more than 50 people, he expressed his horror that ordinary working-class people should be killed in this brutal fashion as they went about their daily lives. This suggested that had the bombers been a little more selective in their targets—had they killed, say, 50 lawyers, bankers, or even Jews as they went about their daily lives—the mayor would have been considerably less horrified. Intentionally or not, he was challenging the bombers to be more careful next time.

These future bombers might also be forgiven for supposing that the mayor's opposition to terrorism is less than rock solid. In the 1980s, when the IRA's bombing campaign was randomly killing significant numbers of ordinary working-class people, Livingstone saw fit, as a member of London's city council, to give a platform to Gerry Adams, of the public-relations arm of IRA terrorism. And more recently, he invited to London and then publicly embraced a Muslim cleric banned from his native Egypt, Yusuf al-Qaradawi, who has been outspoken in his support of suicide bombing in Israel.

An Islamic extremist would conclude from this that the mayor is weak, vacillating, and susceptible to the sentimental argument that any cause promoted by very extreme means—and suicide bombing is almost as extreme as any means could be—must have some moral justification.

Mr. Daniels is a doctor and writer in England. Among his books is *Utopias Elsewhere*.

But the extremist would not see Livingstone as his only potential de facto ally in Britain. Prime Minister Tony Blair himself is very far from being implacable. Shortly before the last election, in the course of which his party had recourse to anti-Semitic iconography regarding the Jewish leadership of the opposition party, and was discovered to have corrupted the voting system to increase the weight of male Muslim votes in certain districts, his wife, a prominent lawyer, argued a case in court for a teenaged Muslim schoolgirl who claimed the right to wear full Islamic dress in school. Mrs. Blair could hardly have been unaware of the oppressive social meaning of this costume for untold numbers of Muslim females, but the election looked like it was becoming close and her husband needed the Muslim vote. Thus an extremist would conclude that, if ever Mr. Blair were faced with a choice between losing office or abandoning a principle, he would choose the latter, and could therefore be bombed into acquiescence. Personally, I do not take such a dim view of Mr. Blair as that, but I can see how somebody might do so.

An extremist looking at British society, quite apart from the personalities of its political leaders, might likewise conclude that it was ripe for the plucking. The multiculturalism upon which the liberal elite so preens itself would not appear to the extremist to be an expression of generosity and broadmindedness, or of a scholarly interest in the way other people live and see the world. He would know perfectly well, of course, that no liberal multiculturalist has any real intention of learning Arabic in order to read the Koran in the original, or Pali in order to read Theravada Buddhist scriptures, even if he would genuinely like to eat Moroccan tomorrow and Sri Lankan the next day.

On the contrary, he would see this multiculturalism as just another sign of weakness and decadence, as a loss of faith in the multiculturalist's own culture, institutions, and traditions. He is no multiculturalist himself, even if in practice he inhabits two worlds and wears a baseball cap and sneakers while denouncing the West: for he is not so much bringing a dish to the cultural banquet, as prescribing the whole diet.

The extremist will see weakness, vacillation, and doubt everywhere he cares to

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look. In Birmingham, the city's second-largest mosque was called for several years (including those immediately after the first Gulf War) the President Saddam Hussein Mosque. Far from protesting, or demanding that it be renamed, the city council gave it a subsidy to increase its car-parking facilities. Again, he would not see this as broadmindedness, or as a sign of the robustness of British democracy: He would see it as a symptom of a society that is prepared to do nothing to defend itself.

The extremist would know perfectly well that many Muslim fathers repeatedly flout the law of the land by refusing to send their daughters to school, but also that they flout it with impunity, because the educational authorities are unwilling or afraid to confront them on the issue. And they would likewise know that the fiercest Amazons of the feminist movement, who work themselves into a fury over invisible glass ceilings and the use of male impersonal pronouns, maintain the most timid of silences when it comes to the matter of forced marriages of Muslim girls contracted under threat of death, a phenomenon that is known to exist throughout Europe among people of Pakistani, Somalian, and Moroccan descent.

The less charitable interpretation of this silence is that today's feminists, being a species of the liberal genus, defend themselves against the unpleasantness of cognitive dissonance—caused by the holding of two contradictory facts or hypotheses in the mind at the same time—by simply ignoring the phenomenon that would cause such dissonance. If they acknowledged the seriousness of the oppression that many Muslim women experience in their own country, they would have to abandon either their feminism or their multiculturalism; and since both are important for their self-image as brave and fearless opponents of what they believe to be the status quo, they simply refuse to look.

The more charitable interpretation is that they were and are afraid; and fear, while certainly not glorious, is at least a normal and understandable motive. No one, after all, has the right to demand heroism of another person. And, as the murder of Theo van Gogh in Amsterdam demonstrated, at least some male Muslims are serious in their determination to preserve their sex's privileges. The feminists intuited the dangers of tackling such people, and have kept mum.

Mr. Blair announced at a press conference that, henceforth, the rules of the game had changed. But this would only have confirmed the impression of the extremist as to how weak and decadent the British had been; and, of course, weakness and decadence are not shaken off in a moment. There is hope yet for the extremists.

When Mr. Blair reveals that preachers of hatred and would-be destroyers of Britain—at least, those who do not hold British citizenship—will no longer be tolerated, he is admitting that the country of which he has been prime minister for the past eight years has tolerated, and indeed welcomed, such people. What is the extremist to conclude? Not that the country and its culture are tolerant to a fault, but that they have a death wish and that it would take little to finish them off altogether—with just a few bombs in the subway perhaps.

Mr. Blair, with his mania for change and modernization, his aversion to anything smacking of tradition, and his hatred of what he calls "the forces of conservatism" (as if nothing of value existed in his country before his providential arrival in power), has also contrived to give the impression that the country and its culture lack all confidence in themselves as the bearers of anything of worth, and are therefore vulnerable to coercion and intimidation.

The entire political and intellectual climate of Britain over the past few decades, with its self-regarding and self-satisfied set of trivial little orthodoxies—to which Mr. Blair subscribed, if not wholeheartedly then at least wholemouthedly—has done nothing to discourage Islamic extremism, and done much to encourage it. The reproaches to Britain of the Pakistani president, Gen. Pervez Musharraf—that it had long been a refuge for Islamic extremists, despite receiving warnings of the dangers—were just and apposite. If the July 7 bombings did not rouse Britain from its multicultural daydreams, nothing will. But the danger, as always with Mr. Blair, is that he will increase his government's powers without increasing its effectiveness. **NR**

■ **CULTURE WATCH**

Gore TV

Al Gore . . . *is on to something?* Yep.

ROB LONG

ONE month ago, when I was still in my thirties, a kind friend said to me in a voice both convincing and cheerful, "Hey! So you're turning forty! That's cool! 'Cause you know, forty is the new thirty!"

Which really worked, actually. I mean, I bought it. Until last weekend, when I was walking along the beach and passed a young, fit guy in his twenties wearing a T-shirt stenciled with a slogan in thick black lettering. "Forty," it read, "Is *NOT* the New Thirty."

Highly specific cruelty is always the most effective kind of cruelty, of course, and in a way, the people who make and market that particular T-shirt are doing us all a great service by nipping this forty-is-the-new-thirty thing in the bud. Apparently there are enough people who think that forty is the new thirty to have inspired a nasty backlash—complete with t-shirts—from people who, from the looks of them, are probably not quite thirty themselves, and maybe want to enjoy being thirty without being crowded and jostled by a bunch of forty-year-olds who are refusing to leave the stage.

This is all a roundabout way of saying that if you're a little sensitive about the creeping ravages of time—and hey, the Reaper comes for all of us—you may just want to prepare yourself before you tune into Al Gore's new cable channel, Current.

I spent a weekend dipping in and out of it—it's not widely available, but it's carried by DirecTV—and was reminded more than a few times that as a forty-year-old man, *I am over.*

"Some of you may be too young to remember," chirped attractive Amaya Brecher as she introduced a recent segment, "I mean, I remember it only from retrospectives on TV, but an assassination attempt was made on President Ronald Reagan's life in 1981." 1981! I was 15

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then; we got out of classes and stuff to watch it. Whaddya mean you *don't remember it?* Six weeks ago I wouldn't have noticed the passive-aggressive malevolence of an introduction like that, but after a few moments of watching Current, it's clear that it's less a cable news channel and more a *Lord of the Flies* situation. In which I am very much Piggy.

So there's good news and bad news about Current. The good news is that Al Gore himself isn't on it. And the bad news is, it's actually not bad. In fact, once you get over the *Children of the Corn* vibe, it's infectious.

Current is sort of a cross between Gore's most recent big projects: saving the earth from destruction, and the creepy beard. It's got the Whole Earth perspective of his books—lots of nature segments, environmental stories, extreme sports—plus the intense culty weirdness of his recent facial hair, all bundled together in a cable channel that broadcasts news—oh, excuse me, not *news*, or *segments*, or anything like that; no, Current broadcasts stories in seven-minute bursts they call *pods*.

It seems that young people, when not wearing mean-spirited T-shirts or spouting cruel segment introductions, like things short and peppy. And calling them *pods* (no doubt piggybacking on the youth cult appeal of the iPod) makes an old format

ROMAN GENN

(host introduces pre-set segment) seem somehow fresh.

On the bottom left of the screen, as each pod plays, an elapsed-time bar—like the kind you see when downloading a file, or watching a QuickTime movie on your computer—counts down the time until the pod is . . . out of pod juice, I guess, and then they move quickly to the next pod. There's no real structure or theme, just a loose, random collection of segments ranging from the Reagan assassination attempt, to how young people in Iran sneak out to parties, to rock climbing, to rare-sneaker collecting. It's an iPod shuffle for the eyes.

I spent a few happy hours watching Current, and the whole time I kept flashing back to CNN's truly awful—but representative—Election Night 2004 coverage, and the ossified bags of bones—your Judy Woodruffs, your Larry Kings—lumbering through the broadcast like those big tree creatures from *The Lord of the Rings*, all ponderous insights and jowly importance. And when cable news isn't being pompously flatulent, it's being lurid and jittery—shark attacks and pedophile killers and celebrity trials, each with its own antic theme song and alarming graphics. But flip over to Current, and some nice-looking young person who reminds you of the kid who sold you that pair of hiking boots last summer is earnestly and cheerfully telling you a story or showing you a video. And yes, okay, they're all a little too intensely cheerful and electrified, but there's not a trace of pretension or pomposity in the whole enterprise, which, for something touched by the hand of Al Gore, is to be marveled at.

Al Gore is on to something. Let me retype that. Al Gore is on to something. (Yeah, it still looks odd the second time.) As the super-engaged uber-host Jason Silva says in an introductory pod, what makes Current different from every other cable channel is that its content is provided by its viewers. Like some sort of video blog, viewers can upload video pods to Current's website—stories, commentary, mini-documentaries, travel journals, anything—and if it's any good (and even, I suspect, if it's not very good at all) it'll make it to the air.

Let me repeat, because I still can't really believe it: Al Gore is on to something. Satellite and digital cable deliver hundreds of choices to the viewer every second, and for most viewers between 18 and 34—that is, the most sought-after and coveted demographic—there's no real difference between watching ABC's primetime offerings and watching whatever's on Bravo. It's just a question of zapping around until something interesting pops up, like a really cool pod on Current.

A simple suite of software tools—Final Cut Pro for video editing and Pro Tools for music—means that anyone with a decent digital movie camera (and that's starting to be a pretty big number) can make a professional-looking and -sounding piece of video without too much technical expertise. And if that person also has access to the Internet (and that's already a very big number) then he can dash it off to Current, and it'll become another pod in the rotation.

Odds are, most of it is going to be pretty lousy stuff. But if you subscribe to the theory that one thousand monkeys with one thousand typewriters will eventually produce some pretty great work, what happens if it's one million monkeys with one million Panasonic AG-DVX100 24P digital movie cameras? And what if they aren't monkeys, but inventive, funny teenagers or passionate twentysomething do-gooders or globe-trekking closet Coppolas? As Jason Silva repeats in a variety of pods wearing a variety of T-shirts, Current *pays* to use a viewer's video contribution. Which is more than the folks who run the Huffington Post can say. And as we out here on the far, radical, extreme right know, when you pay people to do something, they tend to do it often and, eventually, to do it well. People likes them their money.

Right-wingers who have spent the past year crowing about the growing ability of blogs and bloggers to circumvent the tired orthodoxies of the mainstream media will probably want to take a look at the cheerful, earnest, zippy stuff on Current. And when they do, many of the younger ones will probably end up buying DV cameras and loading Final Cut Pro onto their hard drives. Some of their stuff may end up on Current. Some of it may end up on a Current competitor.

Sneer if you wish, but Al Gore may actually have a successful TV channel on his hands. As long as he stays off of it. He's way too old. **NR**

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The Uphill Fight

Can John Roberts restore the constitutional order?

ROBERT H. BORK

THE nomination of John Roberts brings up the recurrent and crucial question of who is to govern America and, therefore, what is to be the course of our culture and morality. It is hardly surprising, then, that the power seekers of the left-wing wolf pack are on the prowl, attacking Judge Roberts with their customary mendacity.

"With every passing day, it is becoming clearer that John Roberts is one of the key lieutenants in the right-wing assault on civil-rights laws and precedents," proclaims Ralph Neas, the far-left ideologue who heads People for the American Way. Not to be outdone, Sen. Ted Kennedy asserts that in doubting that Congress's power over interstate commerce extends to preservation of the arroyo southwestern toad—a homebody that never moves out of California and is not engaged in commerce—Roberts is somehow endangering Social Security, Medicare, civil rights, and, for all we know, the Declaration of Independence and the Emancipation Proclamation. Listening to the absurd Kennedy and Neas accusations brings to mind an old Irish ballad: "Johnny, we hardly knew ye."

WHAT KIND OF JUSTICE?

It's true that, such blatant nonsense aside, there has been some doubt even among supporters of the nomination about how John Roberts will vote on crucial constitutional issues. The mists began to dissipate somewhat, though by no means completely, with Judge Roberts's written answers to a questionnaire from the Senate Judiciary Committee. He disparaged legal activism, saying that the judge's role, "while important, is limited" and does not extend to "areas of policy making reserved by the Constitution to the political branches." Judges "do not have a commission to solve society's problems, as they see them, but simply to decide cases before them according to the rule of law."

These are admirable generalities, so far as they go, and it would have been politically unwise for the nominee to go beyond them. That said, it may be useful to speculate about what these sentiments will mean in operation once the judge becomes a justice. I do not know John Roberts particularly well; our relationship amounts to no more than that of friendly acquaintances. I have never discussed judicial philosophy with him and I know of no one who has. But my impression, reinforced by the opinions of others who know him better, is that he is, as even his detractors concede, a brilliant lawyer of equable temperament. Based on that, and his written answers, I believe Justice Roberts will not create new constitutional rights out of whole cloth, as many of his soon-to-be colleagues have done. I cannot, for example, imagine him voting to invent a right to homosexual marriage, as many of the justices seem determined to do. If he will forgo further judicial adventures, the question remains: Will John Roberts have the gumption to try to undo the constitutional carnage of the past, to bring the Court's jurisprudence within shouting distance of the real principles of the Constitution?

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That raises the question of precedent or *stare decisis*. Roberts told the Judiciary Committee that "precedent plays an important role in promoting the stability of the legal system" and that the "judge operates within a system of rules developed over the years by other judges equally striving to live up to the judicial oath." That doctrine has never been important in constitutional law, however, because mistaken or wantonly abusive interpretations of the Constitution can be corrected only by the Court. Almost all justices have agreed with Felix Frankfurter's observation that "the ultimate touchstone of constitutionality is the Constitution itself and not what we have said about it." The obvious exception, of course, is that the nation has developed in ways that make some returns to original principles impossible. No judge of whatever disposition would, pace Senator Kennedy, plunge the nation into chaos by dismantling government as it exists today. The spread of federal authority beyond the enumerated powers was inevitable and began in the presidency of George Washington. It is not and never has been the case, however, that all prior decisions are sacrosanct, no matter how old.

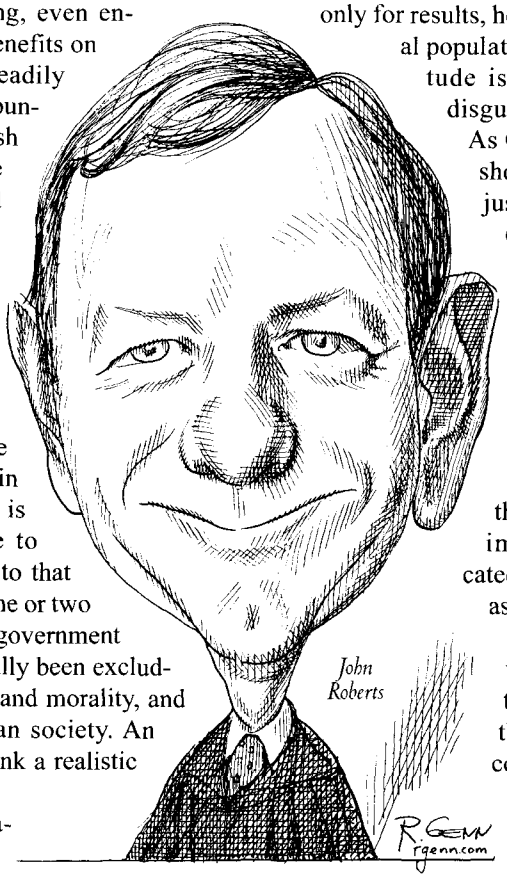
Cultural decisions made in defiance of the Constitution do not deserve the same respect as decisions upholding the unavoidable growth of congressional power. The prime example is *Roe* v. *Wade*, probably the worst constitutional decision of the 20th century as *Dred Scott* was of the 19th. But there are others: decisions marginalizing religion by virtually erasing it from the public arena; throwing First Amendment protection around the worst forms of pornography, such as computer-simulated adult-child sex; protecting the advocacy of violence (radical Muslim advocacy of terrorism is making that law both ludicrous and dangerous); allowing, even encouraging, the awarding or denying of benefits on the basis of race, ethnicity, and sex; steadily narrowing the permissibility of capital punishment, with the apparent desire to abolish it altogether; making the criminal justice system unnecessarily complex, slow, and favorable to criminals.

CURBING THE COURT

Reforming a reckless and autocratic Supreme Court is perhaps the most pressing issue on our domestic agenda, for the very good reason that the Court has, without any warrant in law, made itself the dominant branch of government in much of domestic policy. The question is whether John Roberts will contribute to essential reform. At stake in the answer to that question in his case, and that of the next one or two appointments, are the restoration of self-government to areas of life from which it has wrongfully been excluded, the preservation of American culture and morality, and even, perhaps, the cohesion of American society. An apocalyptic view? Perhaps. But also I think a realistic one. Apocalypses do occur.

The Court cannot produce such cataclysms all by itself. Its potency lies in the fact that it has aligned itself with our cultural elites in the culture war, reinforcing and advancing their liberationist outlook that celebrates individuals' defiance of society's cultural and moral norms. In constitutional law, the struggle manifests itself in the dispute between originalism and activism. An originalist judge applies to modern, and therefore unforeseen, circumstances the principles of the Constitution as they were understood by those who made the Constitution law. The classic illustration is the Fourth Amendment's prohibition of unreasonable searches and seizures. The ratifiers had in mind a constable who, without a warrant or adequate cause, invades your home or office. The Court has come to see that the same principle applies when the government taps your phone or places hidden microphones on your premises. The Constitution does not go out of date because today's technology could not have been anticipated in 1791. Originalism requires the judge to keep the principle alive but forbids him to make up new principles on the pretense that they can somehow be tortured out of an "evolving" Constitution. There are now two and one-half originalists on the Supreme Court. An activist judge, in contrast, announces results that cannot plausibly be derived from the actual principles of the Constitution; there are now six and one-half activists on the Court.

Elite opinion regularly loses in elections and legislatures, and just as regularly wins in the Supreme Court. To put the point starkly, the Court majority's positions pretty much resemble those of the ACLU. Political correctness has become the driving force of our constitutional jurisprudence. The most obvious result is the erosion of self-government. Broad swaths of our countrymen have lost patience with democracy, caring only for results, however achieved, and viewing the general population with contempt and fear. That attitude is displayed, with only the thinnest of disguises, by many members of the Court. As Gary McDowell writes, "What was most shocking" about the concurrence of three justices in *Planned Parenthood* v. *Casey* (1992), upholding a modified abortion right, "was the utter disdain it reflected for the idea of popular government." The concurring justices wrote that the Court has the authority to "speak before all others for [the people's] constitutional ideals." Moreover, the people's willingness to accept what the Court tells them are their ideals is what gives "legitimacy to the people as 'a nation dedicated to the rule of law.'" Why, one might ask, must American citizens accept what the Court tells them are their ideals? And why, come to that, is it the legitimacy of the citizens that is in question rather than that of the Court? In two cases inventing constitutional rights for homosexuals, the Court stated that restrictions on that class could be explained only by hostility to an unpopular group. The pos-



ROMAN GENN

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sibility of a moral objection was not considered: The people are atavistic and must be reined in, enlightened, and civilized by the justices.

The curbing of democracy is, of course, essential to the remaking of American values and culture. People *will* vote for and do things the intelligentsia considers retrograde. The destruction of generally held morals and customs (the sense that some things are not to be approved), along with encouragement of identity politics, weakens the bonds that make a cluster of individuals a society. These are the crucial issues implicated in appointments to the Supreme Court. But they are rarely addressed. Instead, we are subjected to incessant harping on the question of whether the nominee is a liberal or a conservative or, best of all, a moderate. (A moderate is a judge who is unpredictable on many issues but who on major cultural issues—abortion, homosexual sodomy, pornography, religion, affirmative action, etc.—invariably votes with the cultural Left.) We are told that it is important whether Roberts is anti-abortion, whether he was a member of the Federalist Society, and whether he takes his Catholicism seriously, and so on, ad infinitum.

Not one of these questions should be regarded as relevant to Roberts's or anyone's confirmation. The distinction that matters is whether the nominee will prove to be an originalist or an activist. *Roe* v. *Wade* is a travesty as constitutional law whether you are pro- or anti-abortion. The Federalist Society, which is being portrayed by liberals as a sinister force, is composed of conservatives and libertarians who have in common only a dislike of the activism of the current Court. In contrast to the ACLU, the Society takes no positions on public issues and engages in no litigation. Its speakers and panelists represent conservative, libertarian, and liberal points of view. Its object is to bring perspectives into discussions of law that are, to say the least, underrepresented in the law schools. (I should add that Sen. Orrin Hatch and I are national co-chairmen of the Society.) My real question for John Roberts is not whether he was an active member of the Federalist Society but why he wasn't. As to his Catholicism, I can think of no issue on which the real Constitution and the Church come into conflict. In any event, Roberts's only duty as a justice will be to the Constitution. If some hypothetical conflict should ever arise, he must apply the Constitution. If he cannot, his duty will not be to recuse himself but to resign. That would be true of any justice whose deeply held beliefs, religious or not, prevent him from honoring his oath of office.

Liberal senators began the intense politicization of the confirmation process and it is natural that conservatives should at last respond. As the Court has converted itself from a legal institution to a cultural and political one, the stakes with every nomination become higher. Now we have groups opposing and those favoring the confirmation of John Roberts raising millions of dollars for ad campaigns and engaging in blog wars. Only the depoliticization of the Court by a return to originalism can end this unseemly and damaging warfare. The question that may be answered in the upcoming hearings is how far Justice John Roberts will prove to be a man to begin the process of restoring the Constitution's integrity and hence the Court's long-lost legitimacy. **NR**

■ **THE RIGHT**

Social Injustice

Trial lawyers woo social conservatives

RAMESH PONNURU

THE website for the Center for a Just Society, a new social-conservative group in Washington, has a lot of the items you would expect to see: denunciations of embryonic-stem-cell research; calls for an end to the filibustering of Bush's judicial nominees. The quality of the writing at ajustsociety.org is a cut above what you would find from most social-conservative organizations, and the range of issues is slightly wider. The Center attempts to bring "Judeo-Christian perspectives" to bear on topics that social conservatives have traditionally ignored. Thus it makes a moral case for Social Security reform. What most sets the Center's website apart from the sites of other conservative organizations, however, is what it has to say about tort reform. Or, rather, "tort 'reform.'"

In one of the statements on its website, the Center writes: "[T]here is a widespread effort underway to take away our right to a trial by jury. Those pushing this wrong-headed agenda claim that it will reduce the costs of healthcare and eliminate 'frivolous lawsuits.' . . . [T]ruth be told, the *agenda behind the agenda* [emphasis in original] has less to do with lowering the cost of healthcare and eliminating frivolous suits and more to do with immunizing wrongdoers from the consequences of their behavior."

This perspective reflects the views of the Center's chairman, Ken Connor. He is best known as a social-conservative leader. He was president of the Family Research Council, and he represented Florida governor Jeb Bush in the Terri Schiavo case. (The Center was in the thick of the Schiavo fight as soon as it set up shop, back in March.) But he has also had a long career as a trial lawyer suing nursing homes for what he calls "elder abuse."

The Center is in its infancy. It does not even have an office yet. Its advocacy of tort reform has not received much attention. The most impact it has had came when Focus on the Family, James Dobson's much larger and more influential conservative organization, publicized its description of the Republicans' medical-liability reform bill as an attack on the sanctity of life. But the Center may represent an emerging trend. There are some signs that social conservatives and the trial bar may be making common cause—which means that on litigation reform, the social and economic Right may be headed for a split. Whether that split occurs will depend on whether the social Right can see through the misleading slogans of the trial bar.

ALLIANCES IN FLUX

In the weeks between Justice Sandra Day O'Connor's an-

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nouncement that she will retire from the Supreme Court and President Bush's nomination of John Roberts to replace her, there were reports of tensions between Bush's social-conservative and business supporters. Social conservatives didn't want a new justice in O'Connor's mold. They were fond of originalist jurists such as federal appeals-court judge Michael Luttig. Business lobbies worried, however, that Luttig was less likely than O'Connor to impose limits on punitive damages in lawsuits against corporations.

Harry Reid, the leader of the Senate Democrats, seemed to pick up on this tension. He said that several Republican senators would make fine replacements for O'Connor: Mike Crapo of Idaho, Mike DeWine of Ohio, Lindsey Graham of South Carolina, and Mel Martinez of Florida. His list omitted two Republican senators who had more frequently been mentioned as possible nominees to the Court: Jon Kyl of Arizona and John Cornyn of Texas. When asked about the omission of Cornyn, Reid said that he had already listed his picks. All six of the senators have socially conservative voting records. Walter Olson, the author of several of the most important books making the case for tort reform, spotted the distinction among them: Kyl and Cornyn have taken the lead on tort reform, while the other four have often voted with the plaintiffs' bar against most of their Republican colleagues. Crapo, Graham, and Martinez are, indeed, former trial lawyers.

In the end, however, Bush ignored Reid's advice. By choosing Roberts, he was able to mollify both business and social conservatives. Neither constituency knows that he will vote with it, but each has some reason to think that he might. The conservative coalition did not split.

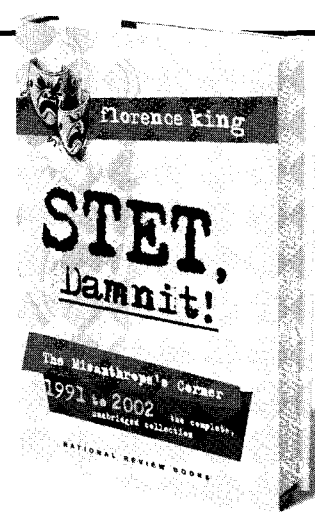
At least, it hasn't yet. But that list of senators who used to be trial lawyers suggests one of the reasons that tensions will persist: There are socially conservative trial lawyers. The profession abounds with politically talented, rich, and influential people. While conservatives have not tended to regard the courts as instruments of social change—as much of the tort bar reflexively does—there are bound to be some outliers. With the Republicans in charge of Washington and threatening the livelihoods of trial lawyers, it stands to reason that the latter would, as the lobbyists say, "reach out" to the Republican party. Connor recently spoke at a convention of the Association of Trial Lawyers of America urging the group to do just that. He says he was received "extraordinarily well."

Connor argues that while some Republicans—the "bluebloods" at the "apex" of the party—have an economic interest in fighting trial lawyers, the "blue collars" at the "base" of the party are against trial lawyers only because the trial lawyers have allied themselves with the Democrats. If the trial lawyers end that alliance, he thinks, common ground could be found.

THE MORALITY OF LAWSUITS

Connor's organization argues that the tort system is valuable because it holds corporate wrongdoers accountable. It thus affirms the value of responsibility and, when injuries or fatalities result from corporate misconduct, the sanctity of human life. In certain respects, this claim is obviously true. But tort reformers are not composed exclusively of corporate wrongdoers, their flacks, and their dupes. As Olson puts it, "Much of the popular success of the litigation-reform side has come precisely from people's feelings that the outcomes of litigation don't track our moral sentiments very closely, and seem to track them less well over time."

Take nursing-home litigation. Until 2001, Connor's native Florida had a "resident's rights" law that allowed plaintiffs to recover damages from nursing homes without proving negligence. Nursing homes were often sued over bedsores—even though they are hard to avoid for invalid patients. Ted Frank, who runs the American Enterprise Institute's Liability Project, points out that "Christopher Reeve, who had the finest medical care money can buy, died from a bedsore infection." And the nursing homes faced a Catch-22: They were not allowed to restrain patients who suffered from dementia, but were liable if those patients hurt themselves in a fall. Frank concedes that some lawsuits involved "really substandard care," but says that



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too many attempted to "hold companies responsible for things they had nothing to do with."

The law forced many nursing-home companies into bankruptcy, causing a shortage. By 1998, one out of every four Medicaid dollars spent on nursing homes in the state was going to pay liability costs. Connor's partner, Jim Wilkes, the lead attorney on most of Connor's nursing-home cases, spent more than a million dollars trying to block limits on liability. The Florida chapter of AARP actually supported the 2001 reform, perhaps swayed by the thought that elderly Floridians needed nursing homes more than the trial lawyers needed the money.

Or take asbestos litigation, which has done more to reward wrongdoing than to punish it. Asbestos claims have soared in recent years even as the incidence of asbestos-related diseases has declined. Lester Brickman, a professor at the Cardozo School of Law, credibly alleges that the explanation is that 80 to 90 percent of recent claims are fraudulent. Lawyers have coached witnesses to make false testimony and get false diagnoses, and then sued companies that played the most minor of roles in the asbestos industry. Not all trial lawyers are, of course, guilty of these tactics. Many trial lawyers, especially those who represent clients whom asbestos actually made ill, are appalled by the false claims. But it is hard to avoid the conclusion that the system has strayed rather far from holding wrongdoers accountable.

The Center for a Just Society is certainly right to say that not everything that travels under the name of tort reform deserves support. It argues, correctly, that federal tort reform can trample on state prerogatives. If a state has lawsuit laws that lead doctors to leave it, it ought to be the responsibility of the state's voters and politicians to change those laws. On the other hand, frivolous product-liability lawsuits can't be avoided by skipping the border. No state can shield a drugmaker or medical-device manufacturer located in its jurisdiction from abusive lawsuits filed in other states. In such cases, it's up to the federal government to protect interstate commerce by restraining the states. The Republicans' medical-liability bill should be amended so that it touches only interstate commerce. But the trial lawyers, and the Center, oppose the whole thing.

LIFE AND LITIGATION

The Center opposes the bill on the theory that it is "pro-abortion" because it provides immunity to the makers of RU-486 (the "abortion cocktail"), and prescribing doctors, from lawsuits by the families of women who die as a result of the drug. But this immunity is partial. What the bill says is that if a product or treatment complies with federal regulations, the people who made the product or supervised the treatment can't be sued for punitive damages if something goes wrong. They can be sued for compensatory damages, including damages for causing pain and suffering. But if they're compliant with FDA regulations, for example, the courts shouldn't punish them. The makers of RU-486 already enjoy some legal immunities thanks to Bill Clinton. But even if they didn't, the Center's argument would be faulty. Just as conservatives would not favor raising corporate-tax rates in order to drive companies involved in abortion out of business, they should not oppose efforts to improve the legal environment for corporations because they might help companies involved in abortion.

John Edwards illustrates the bankruptcy of the "pro-life" case for pro-plaintiff medical-malpractice laws. Suing obstetricians for causing cerebral palsy by failing to do C-sections was one of his most profitable lines of litigation. He has boasted about how he swayed jurors by assuming the voice of an unborn child pleading for help. But the evidence strongly suggests that cerebral palsy is usually genetic in origin, and almost never the result of a botched delivery. (One piece of evidence: C-sections have grown more common over the last few decades, while the incidence of cerebral palsy has stayed the same.) Lawsuits, and the resulting malpractice-insurance premiums, have driven obstetricians away from some areas.

In a forthcoming paper for the *Journal of Legal Studies*, law professor Jonathan Klick and economist Thomas Stratmann provide reasons to believe that such lawsuits result in infant deaths. Specifically, they find that caps on punitive damages in medical-malpractice lawsuits bring infant-mortality rates down. More doctors practice in states that adopt them. The health benefits flow primarily to black infants in rural areas. Klick thinks that federal legislation might have a positive effect on infant mortality, too (although he is careful to note that he does not endorse the legislation). The study undermines the claim that medical-malpractice reform is anti-life.

When John Kerry picked Edwards as his running mate and Republicans attacked the latter for being a trial lawyer, Connor rushed to his defense. But if Connor is concerned about the bad name trial lawyers have in some circles, perhaps he should have blamed lawyers such as Edwards rather than their critics. Connor says, "Trial lawyers should be viewed as stewards of the civil justice system." They will not be viewed that way, however, if a sizable number of them are not acting as such.

The right to a jury trial, meanwhile, isn't nearly as threatened as the Center—and the tort bar—would have you believe. There are, it is true, some proposals floating around to handle medical-malpractice cases through the kind of administrative compensation schemes that long ago took over workers' compensation. But legislated caps on damages aren't an affront to the jury system, any more than are statutes blocking juries in criminal trials from imposing life sentences for shoplifting (to borrow a comparison from Olson). The historical value of the jury was as a brake on the power of the courts. Their role has not been to enable the courts to take actions that the legislature refuses to authorize.

The issues involved in tort reform are complicated, and people can disagree about them in good faith. The Center for a Just Society might well lead social conservatives to make a contribution to this debate (among others). Connor says that the Center will come out for making the losing party pay for civil litigation—a potentially far-reaching reform. If the Center does that, it will be hard for anyone to argue that it is merely a front for the trial lawyers.

But social conservatives ought to keep in mind that the current system features, and even encourages, all kinds of squalid behavior. Lawsuits are filed as fishing expeditions. Firms that have not done anything wrong are targeted because of their deep pockets. Simple fraud is more than occasionally perpetrated through the courts. All of these are forms of bearing false witness. And "Judeo-Christian perspectives" on that have not been positive. **NR**

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■ LATIN AMERICA

The Chávez Challenge

Venezuela's leader is a regional nuisance

MARK FALCOFF

Caracas

It's Sunday in Venezuela, which means it's time for President Hugo Chávez to go on radio and television to "dialogue" with his people. Dialogue is actually not the right word; except for this week's special guests (Cuban dictator Fidel Castro by telephone from Havana, and later, Cuba's health minister), Chávez does all the talking—endlessly, tediously, often jumping from topic to topic in no apparent order. This time it's a full eight hours. The subjects include the evils of capitalism and "neo-liberalism," the unspecified contribution Cuba can make to solving *Venezuela's* energy problems, the nefarious George W. Bush, the dangers of a free-trade agreement with the United States ("a grinding stone to crush peoples"), the vast wave of support that Venezuela and its president now supposedly enjoy throughout the hemisphere and even the world . . .

Welcome to South America's newest revolution, if that indeed is what is going on here. To the casual visitor who knew Venezuela before Chávez's first election in 1998 it's difficult at first to see what's so new and different. Despite the increasingly incendiary rhetoric issuing from government sources, almost everything seems remarkably unchanged. The Venezuelan capital is still the same, sprawling, overdeveloped city it always was—part Los Angeles, part Third World slum—plagued by too many cars trying to squeeze into excessively narrow streets. The hotel lounges are full of foreign businessmen in deep conclave with their Venezuelan counterparts. The restaurants are heavily booked. The malls are stocked with foreign imports. The newspapers carry ads for vacations in Miami and Europe, as well as for luxury cars. The only important news—today, as always—is the price of oil. Good news, too, since it's inching up to $60 a barrel, with reasonable hope of rising yet further. It's only when one looks beneath the surface that one can perceive that something very sinister is afoot.

To say that Venezuela is all about oil is an understatement. For nearly a century the black gold has underpinned every regime here, military and civilian, good and bad. Venezuelans know this: Surveys show, in fact, that an overwhelming number think their country is the richest in the *world.* This claim seems remarkably inconsistent with widespread poverty, malnutrition, and substandard housing on one hand, and all the luxury high-rises and elegant villas on the other, but that is precisely the point. As one mulatto woman, the hostess of my hotel dining room, explained to me on the eve of Chávez's first election, "We have *everything.* The only reason we are poor is that the politicians have robbed us." She had it half right; the politicians *did* stuff their pockets during the boom years. But the real problem was oil prices. After spiking in 1972 and 1979, they collapsed in 1982. During the good years there was plenty of jam to go around; then, for nearly two decades, depressed prices deprived successive governments of much of the resources—subsidized bus fares, cheap gasoline prices, and other amenities—with which to buy painless social peace. The economic slump, juxtaposed against a rising population and growing unemployment, was bound to take its toll. The great beneficiary turned out to be a once-unknown lieutenant colonel who convinced the underprivileged masses that the simple act of electing him would turn oil prices around and bring back the good times.

Not surprisingly, this didn't happen—at least not immediately. In fact, during Chávez's first three years in office oil prices averaged slightly more than $20 a barrel. Failure to deliver the goods overnight caused support for the leader to slip precipitously; by some reckonings, by early 2001 as much as 60 percent of the population had turned against the president. A militant opposition took to the streets and public disenchantment peaked in April 2002 when Chávez barely survived a bungled military coup involving elements of the business community and the labor movement. In December, a general strike produced widespread economic chaos but failed to force Chávez's resignation. Since 9/11, however, oil prices have turned sharply northward, pushing Chávez well into the clear. The latest surveys now show him with as much as a 70 percent approval rating.

This year alone Venezuela will receive $36 billion from its oil exports. Government accounting since Chávez took power has become something of a murky science, but it is known that of this amount the president has helped himself to $5 billion for his "discretionary budget." He has further, unlawful plans to raid the Central Bank treasury for another $5 billion, apparently for his social projects. Another $3 billion is earmarked for a new chain of government supermarkets selling foodstuffs to the public at greatly reduced prices. In addition, Chávez announced a 50 to 60 percent increase in the pay of military personnel, which might well peg the salary of a noncommissioned officer higher than that of a university-trained professional. Another $2 billion is being appropriated to buy military hardware from Russia, ostensibly to secure Venezuela's troubled frontier with Colombia, and also to equip a huge "reserve" force.

A FAMILIAR SETUP

In some ways the Chávez regime represents nothing new at all in Venezuela or indeed for the region as a whole—it is merely an exaggerated version of the classical Latin American populist regime, one that rewards loyal followers and buys off potential opponents through the promiscuous use of government funds. But unlike its predecessors elsewhere, this regime survives not by borrowing heavily from abroad, or expropriating foreign investors' assets, or printing money (or all three), but by earning hard dollars from the export of oil by the state oil company, PDVSA. Nor is Chávez himself a unique phenomenon in Latin America—he mere-

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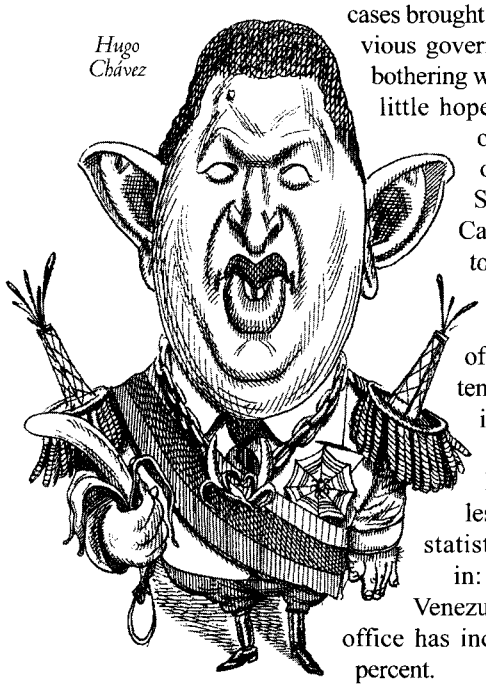
ly represents the latest incarnation of the phenomenon pioneered by the late Argentine strongman Juan Perón in the 1940s: the authoritarian by popular consent. Chávez, we should recall, has been elected twice, was reaffirmed in a referendum last year, and is a sure bet for reelection next year. While in theory Venezuela is a constitutional democracy, in practice Chávez has packed the courts, converted the armed forces into a private constabulary, and disobeyed his *own* new constitution which, on paper at least, established a limited system of checks and balances. Where the rules cannot be bent, the government often reverts to low-grade thuggery and intimidation.

Chávez resembles Perón in another important respect: He regards his country as too small a stage for the role he is called upon to play. His plan is to become the leader of Latin America, perhaps even of the entire Third World. Thus Venezuelans are not to be the only beneficiaries of his largesse. A new regional alliance, Petrocaribe, has been established to buy influence among Venezuela's Caribbean and Central American neighbors by selling them oil at a deep discount (delivery free of charge). There are plans for something still bigger: a South American energy company, Petrosur, servicing Argentina, Brazil, Ecuador, and Peru. He is promising to build a $1 billion oil refinery for Uruguay and a fleet of 40 oil tankers for Brazil (price tag: $2 billion). Chávez also has plans for his own network (Telesur) to take his "Bolivarian" message to the far corners of the earth.

No doubt some of Chávez's plans are delusionary, but the regime has introduced a new element into the equation, namely, the presence of Castro's Cuba in places high and low. In exchange for 80,000 to 90,000 barrels of oil a day—much of which the Cuban dictator resells on the world market for desperately needed hard currency—Havana has dispatched thousands of doctors, dentists, teachers, and sports trainers, as well as police, security personnel, and intelligence experts.

Meanwhile, Cuban medical personnel are assigned to Chávez's "missions," which fan out across the country to provide services—most of them mediocre and second-rate, to be sure, but in many cases brought to people whom no previous government thought it worth bothering with. These benefits offer little hope of real improvement over the longer term. As one Catholic priest from Spain, who has worked in Caracas's slums, recently told the British press, they are no substitute for a thoroughgoing reform of the health-delivery system. "What we have now in the end is a waste of time and resources . . . I expect a collapse in less than six years." The statistical result is already in: The poverty level in Venezuela since Chávez took office has increased from 44 to 54 percent.



Hugo Chávez

ROMAN GENN

Venezuela as Chávez imagines it to be can be glimpsed on state television. There viewers are treated to a parade of images familiar to anyone who has ever attended a radical film festival in the United States—toothless hags and decrepit pensioners uttering effusive thanks to Señor Presidente, interviews with schoolteachers, excerpts from concerts by well-scrubbed children's choirs. When the president takes to the air he lectures his people endlessly on the virtues of the Castro regime and also the supposed value of its contribution to his country's development—so vehemently, in fact, as to suggest that there might be considerable private grumbling about his billion-dollar oil giveaway to Cuba.

THE OPPOSITION

Historically, Venezuela has been controlled by two large centrist-populist parties, one of social-democratic orientation (Acción Democrática, or AD), and one styling itself "social Christian" (COPEI). Both today languish in deep discredit, partly deservedly, for over time they built a wasteful and inefficient economic and social system shot through with corruption and jobbery. Even so, if oil prices had remained where they were in 1979, it's safe to say nobody would ever have heard of Hugo Chávez. As it is, he can credibly claim that the only alternative to his regime are the bad old days, an era that at this point is still quite vivid in the memory of most Venezuelans.

"The old parties are dying," one Venezuelan friend of many years' standing assured me. Another disagreed: "They aren't dying; they're dead already." While Chávez is promising Venezuelans effortless prosperity and an unearned international importance, the opposition has no vision of its own to offer—merely a return to the day before the strongman's first election. Worse, all the opposition forces—not just AD and COPEI, but the smaller groups that have evolved to replace them—are hopelessly divided and confused.

The only really serious opposition in the country these days is the privately owned media. Not surprisingly, to counteract their influence Chávez has been toying with a new media law. Instead of imposing outright censorship—which might call down the wrath of the international media establishment—the new legislation has the quiet potential to make these enterprises financially unrewarding. At present, given Chávez's popularity, such extreme measures seem unnecessary. In any case, the media cannot overthrow Chávez or—so long as oil prices remain high—even dent his popularity.

Evidently the real source of Chávez's power is not the weakness of his opposition—striking as that may be—but his virtually unlimited access to the accounts of the state oil company. But these may not always be the windfall they are at present. Aside from the distinct possibility that oil prices will decline at some point, the government's management of its basic resource leaves much to be desired. Since the general strike there has been a massive purge of the company's upper management, as well as the dismissal of some 18,000 engineers, exploration personnel, and financial specialists. The effects are already being felt. In 2004 PDVSA produced roughly 2.65 million barrels per day, which was well below the 3.3 million anticipated by the government. Just to keep the operation going requires a minimum investment each year of $3 billion; over the last three years the figure has reached barely $2 billion. As one foreign oil-company executive told *Le Figaro* (July 12), "Chávez believes it's enough to put a soldier behind each oil well to assure production, but with oil it's not like that." This is particularly true

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for Venezuelan crude, which is exceptionally heavy and imposes intensive maintenance routines on the machinery. Meanwhile, PDVSA's share of production is declining vis-à-vis that of the multinationals that set up shop in the 1990s. Chávez's solution is to change the royalty arrangements agreed to a decade ago, a move to which the companies have no choice but to submit—for the moment. Over the middle and longer term the government may succeed in discouraging new investment and thus drastically reduce the size of the golden egg.

WHAT TO DO

Is Venezuela on its way to becoming another Cuba? In spite of superficial similarities and even Chávez's stated intentions, the answer is: probably not. The country is simply too informal, too disorganized, too corrupt—and too vulnerable to foreign, particularly U.S., cultural influences—to be easily pushed into a totalitarian template. Chávez has not even bothered building a political party of his own; the ranks of his regime are drawn from an undifferentiated mass of pocket-lining military officers, opportunists, and leftist ideologues. Nor is there a clear blueprint for where the president intends to take the country. Priorities change without warning, for instance, so that no cabinet minister dares miss the president's Sunday broadcasts: He may not find out what next week's agenda will be.

To be sure, none of this is cause for celebration. Chávez has plenty of money to throw around, and its effects have already been felt in nearby countries like Bolivia, where Venezuelan-funded NGOs and "indigenous" organizations recently brought down a constitutional government. "Anti-imperialist" books and magazines of a type formerly financed by Soviet embassies are suddenly reappearing in other Latin American countries. And security experts around the hemisphere are worrying aloud that some of the weaponry Chávez is buying will end up in the hands of Colombia's FARC guerrillas or Chiapas in Mexico. Such concerns provoked secretary of state Condoleezza Rice's South American trip this past April, intended to isolate Chávez diplomatically from his neighbors. Because the Venezuelan president uses the ballot box so successfully there is a movement afoot, presumably sponsored by our own State Department, to compel the Organization of American States to define more precisely what might represent a departure from democratic practices above and beyond the actual act of electing officials.

But it is difficult to see how such efforts can succeed. A country that supplies oil to half the hemisphere, including the United States (which relies on Chávez's country for as much as 15 percent of its imports), cannot be, by definition, isolated. By providing cheap oil to his hard-pressed Caribbean neighbors, Chávez is now assured of support from the largest bloc of votes at the OAS. Even if this were not so, our long experience with Castro should have taught us by now that the Latins can be expected to hide under tables any time a difficult political decision shows up on the agenda. We can draw some consolation, however, from the fact that Chávez, unlike his Cuban mentor in *his* great days, enjoys virtually no popular support in the region, even among the Left—many of whose leaders privately refer to the Venezuelan president as a clown. If the clown feels like mindlessly lobbing cash in their direction, the Latins seem to be saying, they'd be crazy not to take it. And who can blame them? But judging by our more than half a century's experience in these matters, you can't buy friends. A policy that holds out more hope for us over the longer term is the effort by our National Endowment for Democracy to help nurture the Venezuelan civic organizations attempting to rebuild the country's shattered democratic political culture. But this cannot be accomplished overnight and certainly not wholly from the outside.

Is the United States vulnerable to a shutoff of Venezuelan oil? Chávez has lately threatened such a measure, particularly if he is the subject of an assassination plot, an invasion, or another coup attempt. In fact, he would find it extremely difficult to carry out such a threat. For one thing, Venezuelan industry is heavily oriented toward the United States and it would take at least two years to redirect it. During that time Chávez would run out of the ready cash on which he is so heavily dependent for power and popularity. Even China, which lately has become a major customer, could not absorb such a large quantity of oil immediately, and in any case, at this point Beijing lacks the ability to refine Venezuelan crude. An oil boycott of the U.S. by Chávez would simply induce other suppliers to step in and replace him in our huge and profitable market.

The United States would be well advised to take a low profile on Chávez and treat his regime as an unpleasant fever that will eventually pass.

The United States would therefore be well advised to take a low profile on Chávez and treat his regime as an unpleasant fever that will eventually pass, which it surely will when either oil prices decline or the Venezuelan oil industry begins to fully register the effects of politicization. Most likely, both will happen. To be sure, this may take some years, perhaps even decades. The country will have wasted perhaps the equivalent of five or ten Marshall Plans and have nothing whatever to show for it at the end of the day. Venezuela will not become a better educated, more productive, more socially integrated society no matter how many billions Chávez throws at it. Moreover—again, borrowing a page from Perón's Argentina—when the great man finally does go he will leave behind him a deeply divided society and the prospect of semi-permanent political instability.

To be sure, this is a huge misfortune for Venezuela but merely a moderate inconvenience for the United States. In any case, we cannot save the country from its unwisdom and it would cost us more than it would be worth even to try. Indeed, by seeing Chávez in his proper dimension and treating him as a purely folkloric phenomenon we will go a long way toward denying him the prestige and influence he so desperately seeks. We can afford to wait until the curtain falls—inevitably and ingloriously—on Latin America's latest *opéra bouffe*. **NR**

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HELP!!!!

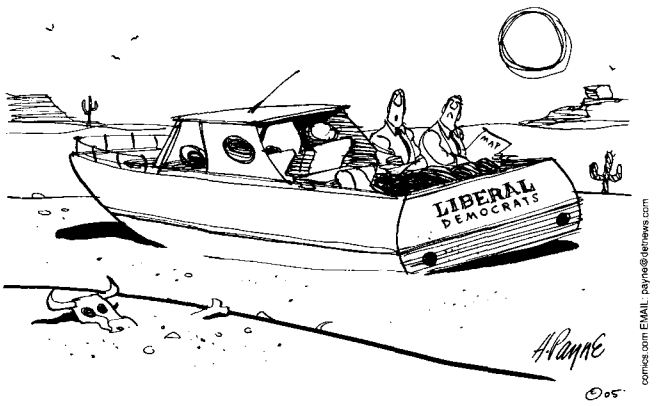
The Clinton Years, Con't.

Triangulating with aplomb
While flashing Newt an upper gum
With all the pearly whites thrown in,
Hillary's primed to holler "Gin!"
In New York State; hubby, meanwhile,
Eyes wandering, permits a smile
Suggestive of a diastolic
That's up to speed and set to frolic.

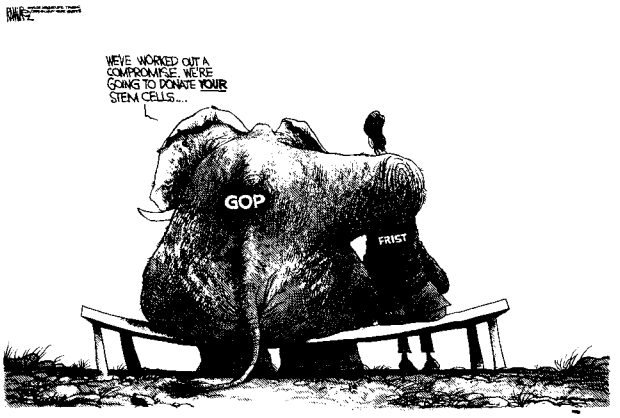
—W. H. von Dreele

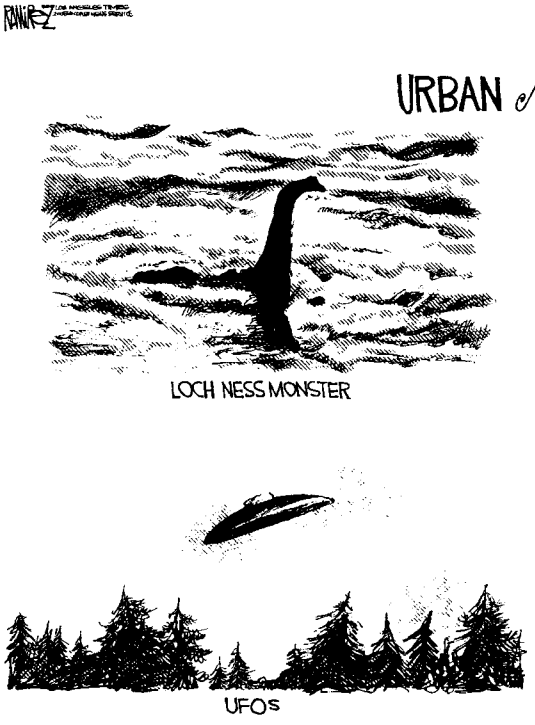
TWO GUYS AND A DUCK

"Well, this isn't working."



"WE'RE CONCERNED JUDGE ROBERTS IS OUTSIDE THE JUDICIAL MAINSTREAM!"





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the long view

ROB LONG

The Detainee Voice

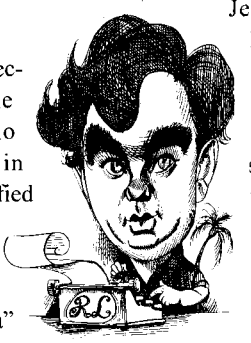
The in-house newspaper of the Alexandria Detention Center

Judith Miller, editor-in-chief
Issue #1 Volume I

Sources Point to Melvin Barondofsky, Former Accountant, as Snitch

From CFO to Trusty, Subject of Interest in Inmate Probe

BY JUDITH MILLER



AFTER weeks of intense speculation, members of the Hispanic prison gang "Cholo Rollers"—based primarily in Blocks D and F—have identified a key figure in the leak of the gang's alleged plans to shiv several members of the Vietnamese gang "Thuy Hoc Loa" last Tuesday.

Sources close to the Rollers say that they have begun to focus exclusively on Melvin Barondofsky, former CFO of PlanGent, a once high-flying pharmaceutical concern that came under the scrutiny of federal investigators and the SEC for financial impropriety. Mr. Barondofsky, currently serving 20 years for securities fraud, had been temporarily assigned to Block D—the heart of what is known as "Cholo Country"—when plans for the inter-gang shivving became known.

"Little dude got hisself transferred to Minimum M," Charlie Velasquez, a Cholo spokesman, said Wednesday, referring to Block M, the minimum-security area of Alexandria Detention Center. "But we'll get him. Little dude can't hide from the Rollers, yo. Somebody gonna put a shiv in that little mother-"

(continued next page)

Prison Food Not Part of Sustainable Agriculture Movement, Study Says

"Unhealthy for the inmate; disastrous for the planet," critics say. Women, minorities hit hardest

BY JUDITH MILLER

As a growing number of inmates of the Alexandria Detention Center become concerned with the issue of sustainable agriculture, the kitchen and food service center has become an unlikely battleground.

"Look at this!" says former nutritionist Marnie Littlejohn, poking angrily at her lunch plate of beans, processed pork, and Jell-O. "These products are unhealthy for everyone! The beans aren't organic, the pork is raised with antibiotics and hormones, and the Jell-O . . . don't get me started on the Jell-O. Had I known the food was going to be this awful I never would have killed my husband."

(continued next page)

Smokes, Friendship, and Issues of Race in Block 7A, Cell 1054: a seven-part series examining the troubled relationship of Lawrence and Luis

BY JUDITH MILLER

LUIS sits on his bunk and wonders what happened. "We was close," the thin, wiry former rapist says in a hoarse whisper. "And then he got all up in his ethnic this and pride that, and suddenly it's like we ain't friends no more."

His finger traces the blue ink of his homemade tattoo. "Got Your Back" is inked deep into his forearm. But apparently, not deep enough.

Across the cell block, in the club room, Lawrence, now known as Jamal Mustapha, sits with his new friends as they read and discuss the Koran.

"I no longer have time for things that are not of Allah. That do not concern the teachings of the prophet Elijah Muhammad," the former armed robber and second-degree murderer says in a deep and commanding voice. "When you serve Allah, you serve him alone."

All across Block 7A, as some inmates experience a powerful attraction to the structure and strictures of Islam, others are left behind.

"He knows where to find me," Jamal Mustapha says, angrily tapping his own "Got Your Back" tattoo.

(continued next page)

When Truth Becomes Dangerous: the 'Barondofsky Question'

News Analysis

BY JUDITH MILLER

As Melvin Barondofsky, the well-known snitch identified by the Cholo Rollers recently as the source who warned both the warden and the Vietnamese gang Thuy Hoc Loa of their planned shiv attack, clings to life in the Alexandria Detention Center infirmary, questions swirl about the use and abuse of information in the media age.

What is known is that early this morning, Mr. Barondofsky was attacked by unknown assailants—assumed to be members of the Cholo Rollers—in retaliation for his role in exposing their plans to shiv several members of rival Thuy Hoc Loa. What is not known is how, exactly, Barondofsky's name became known to the Rollers. Sources close to the warden's office deny ever mentioning his name. Members associated with the Vietnamese gang also express puzzlement at the source of the leak. Spokesmen for the Rollers have identified a reporter for The Detainee as the original source of Mr. Barondofsky's name, but this remains clouded in mystery.

Meanwhile, as Melvin Barondofsky's ventilator pumps life-giving oxygen into his tattered frame, the larger questions of journalistic integrity, the public's right to know, and the possible involvement of bloggers—those unregulated Internet-based commentators—continue to be raised.

(continued next page)

INSIDE: "Harmonica Recital Rises Above Cliché" in Critic's Notebook

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This October 6th, join hundreds of leading conservatives in Washington as they, and you, stand athwart history and proclaim "Happy Birthday!" to William F. Buckley Jr's beloved fortnightly—*National Review*.

Time flies when you're making history. Can it be—50 years!—since a young and charismatic Bill Buckley launched the magazine that would reject the establishment, counter prevailing ideologies, restore the call for first principles, brashly tip over liberal sacred cows, alter the face of American politics, and lay the groundwork for helping bring about the Reagan Revolution and the eventual collapse of Communism?

George Will said it best: "It is simply the case that *National Review* is the most consequential journal of opinion ever." It has been so, it remains so, and we at the National Review Institute are confident that *National Review* will continue to be so for the next 50 years.

At this historic moment, at this traditional point to stop and reflect—and to revel with as many friends and comrades as possible!—The National Review Institute is inviting the loyal readers and subscribers of Mr. Buckley's beloved fortnightly to join him and the editors, staff, and friends of America's premier opinion journal at a grand Celebratory Dinner (with the always charming and witty Christopher Buckley serving as Master of Ceremonies!) in Washington, D.C., on the evening of October 6th, at the beautiful National Building Museum, as we stand athwart history and yell "Happy Birthday!" to *National Review*.

We hope you will be there to enjoy the festivities. Seating is limited: Please use the form below to reserve yours at what is certain to be an affair to remember—the Event of the Year to honor the premier magazine of the last (and the next) 50.

Fill out and mail this form to: **NATIONAL REVIEW INSTITUTE, 215 LEXINGTON AVENUE, NEW YORK, NY 10016**

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Revels with a Cause

Living It Up with National Review: A Memoir,
by Priscilla L. Buckley
(Spence, 247 pp., $27.95)

LINDA BRIDGES

DURING all those years when Bill Buckley was editor-in-chief of NATIONAL REVIEW and was simultaneously writing his thrice-weekly column, preparing for and taping his weekly *Firing Line*, and traveling the length and breadth of the country on the lecture circuit, *somebody* had to be in charge back at 150 East 35th Street. Well, that somebody has finally written down the story of those days, a story that until now had mostly been part of the oral tradition, told to entranced young staffers over lunches and at the ritual Wednesday evening Editorial Drinks.

Not that Priscilla Buckley was always to be found at the office. As she tells us early on in this new memoir, the deal she struck with her brother before agreeing to become managing editor included six weeks' vacation a year—this in lieu of the kind of salary her skills could have commanded, but NR couldn't afford. And so this story of office life, and of the events of those often turbulent years—especially the out-of-control Sixties—is interleaved with accounts of the author's travels at home and abroad.

Full-disclosure time: This is not an arm's-length review. Priscilla Buckley befriended me when I arrived at NR as a summer assistant, taught me my craft, and introduced me to *moules ravigote*, the Peter Wimsey novels, and *eau de vie de framboise*. I in turn was one of many who urged Priscilla to put it all in print. Then again, the very memory of those Wednesday evenings set up for me a high standard for this book: Would the stories on the page have the same élan as they did when spoken impromptu by such a vivid personality?

The answer, I thankfully report, is: Yes. *Living It Up with National Review* is a splendid account of a life of journalism, politics, adventure, friendship, and faith. It is not always delightful; there are dark patches throughout: hurtful office disputes, some of them ending in ruptured friendships, as with Willi Schlamm and Willmoore Kendall; the pain of losing two sisters much too young, Maureen at age 31, Aloïse at 48; the difficulties, professional and emotional, of coping with the upheavals of the 1960s. But mostly it's delightful.

As Priscilla recounted at the end of her first volume of memoirs, *String of Pearls*, she had decided by the fall of 1955 that it was time to leave the newsroom at United Press in Paris and come home. She had learned things and met people she otherwise never would have experienced, and she adored—still does adore—Paris. But the hours were killing and the pay low. More important, her father had been very ill, and France was a long way away from the Buckley family homes in South Carolina and Connecticut—especially in those days before the passenger jet had been perfected. But Priscilla would not wind up spending a lot of time at her father's side. Brother Bill needed her terribly, and she responded to his call, with her parents' blessing.

And so she joined the fledgling enterprise, to which Bill had already recruited their buoyant younger sister Maureen. While Bill attempted to keep peace among the "brilliant, but highly combustible" senior editors, Priscilla recounts, she set out to investigate some of the issues riling folks on the Right. (You couldn't yet speak of a conservative movement, although NATIONAL REVIEW was fast becoming the center around which the movement would coalesce.) One of her first signed articles brought on not a few CMSs (cancel-my-subscription letters). It was titled "Siberia, U.S.A.," and in it she examined—and found wanting—the theory that the federal government had a plot "to get rid of political dissenters and critics on the right, particularly those who favored the Bricker Amendment, by deporting them to Alaska." One of the CMSs conjectured that "Miss Buckley had remained in France too long, and acquired socialistic notions."

She loved investigative reporting, but NR soon needed her more in another capacity. Suzanne La Follette, the magazine's founding managing editor, was approaching retirement. And so Priscilla took over the reins. This meant constant interruptions in her own writing to make decisions about length and placement of articles, to pass judgment on editorial art, to smooth authors' ruffled feathers. But it also meant the fun of watching 23-year-old Maureen tame unruly subscribers. Maureen warned one lady that if she canceled one more time, "she was out for good. The lady did not take the warning seriously, and, after her next CMS, it took her three months of increasingly humble and contrite notes to get back in. Her final letter started: 'I surrender, dear. Maureen, please, please resubscribe me. I promise to be good.'"

Priscilla also enjoyed observing the omnicompetence of Jim McFadden. He had walked into NR's offices, age 26, after being discharged from the army, and told WFB he wanted nothing more than to work for NR. He would prefer to be a writer or an editor, he said, "'but if those jobs are filled I'll do any job you give me, Mr. Buckley, and I'll do it well.'" McFadden made good on that promise. After straightening out the chaotic circulation department, he set to work writing promotional material that "enticed readers to try this new, intellectually abrasive product, a conservative journal of opinion, if you please."

Meanwhile, Priscilla was becoming the doyenne of an unusual educational

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establishment. Jim Burnham, her longtime officemate, walked in one morning and heard her side of a phone conversation, evidently with the mother of a young man who would be arriving in a few days as a summer assistant. As she explains to Burnham after hanging up, the boy has never been in New York, and his mother, "hearing all those stories about violence in our fair city, is worried. I have been reassuring her." That evening at dinner, Burnham delightedly recounts this to WFB, concluding: "Bill, you and I think we are putting out a magazine, but what we actually have is Miss Buckley's finishing school for young ladies and gentlemen of conservative persuasion."

But life at NATIONAL REVIEW is only half of Priscilla Buckley's story. The other half takes her around the world: from an epic battle between dove hunters and game wardens in South Carolina to a humbling, exalting safari in Kenya; from a serene canal trip in northern Wales to a hair-raising (and -soaking) whitewater raft trip through the Grand Canyon; from the haunted beauty of Angkor Wat to a Moscow where from St. Basil's Cathedral you could watch the goose-stepping guards at Lenin's tomb, and shiver at the thought that the infamous Lubyanka was just a couple of streets away.

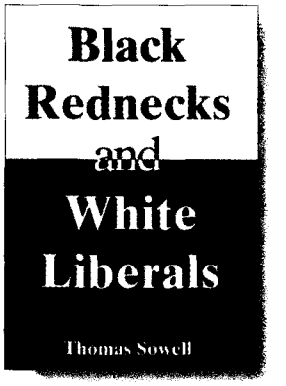
"It turns out to be a bracing week," Priscilla writes of her and sister Jane's decision to bring a hot-air balloon to Sharon, Connecticut. "Jane, and the famous retired racing driver John Fitch, a Le Mans veteran, land in a sandpit thirty-six miles down wind from Sharon, having been airborne just a little over an hour, as the result of a miscalculation of the strength of the prevailing winds. John, who knows about things like stresses, is terrified. Jane, whose grasp of physics is minimal, thinks it a lark."

On a rainy day in Bayeux, at the end of a luxurious barge trip down the Seine, "We duck into the simple fisherman's church near the market place, enticed by a full-throated organ. A bride and groom are plighting their troth on this vigil of the great Feast of Corpus Christi. We pause to light a candle in memory of missing friends, and hurry back to the *Normandie* and our farewell dinner."

In 1962, Priscilla visits Angkor Wat and the other wonders left behind in 1434 when the Khmer king moved his capital south, to Phnom Penh. A dozen years later, she writes, "a new brand of Khmers, Pol Pot's Khmer Rouge, . . . overran the Angkor ruins. . . . It was rumored that the Khmer Rouge, in their mad lust to destroy every vestige of previous civilizations in Cambodia, had dynamited Angkor Wat." That did not happen, but there was "tremendous damage." As of 1970, "nine hundred trained men worked at the Angkor ruins under French direction. By 1981 only five of them were known to be alive. The painstaking records of eighty years of clearing, reconstruction, dike-building, and restoration . . . all had been wantonly destroyed."

Through her 35 years at NATIONAL REVIEW, Priscilla Buckley played a quiet but critical role in molding the modern conservative movement. And, as Ronald Reagan put it at NR's 30th-anniversary celebration, "she has come through all this with a reputation unchallenged for journalistic skill and professionalism, as well as the sweetest disposition on the Eastern Seaboard." *Living It Up with National Review* demonstrates that, as usual, President Reagan had it right. **NR**

Chewing Nails



Black Rednecks and White Liberals, by Thomas Sowell (Encounter, 372 pp., $25.95)

JAY NORDLINGER

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that is, and brilliant ones, or at least excellent ones. You won't find a dud in the bunch. His books are on race, education, history, economics—and there is a quirky autobiography befitting the man. Sowell has also written hundreds of scholarly essays, magazine pieces, and reviews. He has done a newspaper column almost continually since the late 1970s. He is a model of the public intellectual, to use a term he probably doesn't like.

Typical in a Sowell book are a raft of facts, a cold bath of logic, and myth-destruction. He has a quality that is priceless to a writer, or scholar: fearlessness. Sowell cares not a fig about popularity, and he does no jockeying whatever to affect his status. Reputation is unthought of. He says what he finds to be true, the consequences be damned. Many people claim to operate this way; precious few do.

His latest book is a string of essays, whose title is taken from the first of them: "Black Rednecks and White Liberals." An arresting title, that, and an arresting essay. The five other essays are related, I suppose, but only tangentially so. Writes Sowell in his preface, "The purpose of this book is to expose some of the more blatant misconceptions poisoning race relations in our time." Indeed, that is one of the purposes of Sowell's life work. He further writes, "[T]hese essays summarize the conclusions of more than a quarter of a century of my research on racial and cultural issues . . ." I should call this book a summa, and it is. But I called a previous Sowell work—*The Quest for Cosmic Justice*—a summa (which it was). Probably better to say that Sowell pours hard-won wisdom into everything he does.

It's a mark of the man that his epigraph to this book comes from U. B. Phillips. ("We do not live in the past, but the past in us.") I had to smile when I saw this name, because when I was in college, studying southern history, Phillips's name was mud: He stood for racism, naïveté, the Old Historiography, which my teachers—New Leftists, basically—were throwing out. Sowell puts him up front. He's right, too.

The title essay makes the case that American blacks inherited a "redneck culture," which came from particular regions of England and Scotland—the ancestral homes of many white southerners. "That culture long ago died out where it originated in Britain," writes Sowell, "while surviving in the American South. Then it largely died out among both white and black Southerners, while still surviving today in the poorest and worst of the urban black ghettos." And Sowell thinks that's a crying shame. So should everyone else.

What did this—what does this—culture entail? Sowell is brutal, but unflinching: brawling, braggadocio, self-indulgence, disregard of the future. These sound like stereotypes, but Sowell doesn't care, forging ahead with his logic. He is dismayed that the redneck culture—alternatively "cracker culture"—has come to be equated with black identity. And in this, he finds white liberals guilty: They have "aided and abetted the perpetuation of a counterproductive and self-destructive lifestyle" among black Americans. There's the welfare state, and look-the-other-way policing, and smiling at "gangsta rap." A bracing passage:

> The chafing restrictions of civilization, which can at times become irksome to people of any color, may be vicariously thrown off by those white intellectuals who cheer on outlandish and even lawless behavior by black hoodlums or entertainers. Blacks in effect become the mascots of these intellectuals, symbolizing and acting out the latter's resistance to "society"—or, more accurately, civilization.

A Sowell book is not for the weak-stomached.

The second essay has another arresting title: "Are Jews Generic?" Here Sowell discusses "middleman minorities," of whom Jews are the prime historical example. Such minorities have a special economic role to play in a society, sometimes to their sorrow. Joining the Jews are Chinese in Southeast Asia (and elsewhere), Indians in East Africa (and elsewhere), Lebanese in West Africa (the same), Armenians in the Ottoman Empire (reaching back), Koreans in America's black ghettos—you get the picture. What these minorities have had in common is a passion for hard work, for saving, for education, for risk-taking, for advancing, and, crucially, for mobility. The "middlemen" have always had to be light on their feet.

Sometimes, majorities turn on them, fueled by envy and resentment. To many people, "the rise of middleman minorities from poverty to prosperity has been like a slap across the face." And the worst violence and degradation have ensued. Next, Sowell delivers an essay called "The Real History of Slavery." So, what is the false history of slavery? The one presented by Alex Haley in *Roots*, essentially. Sowell's main point is that slavery has occurred in every age and corner, and is little understood. This has terrible consequences: In the U.S., black people may feel special shame, and whites unreasonable guilt. Sowell is always adamant on the ill effects of grievance: "Has a

PROSPERO

His magic in the end meant only this
That he could wake up without bitterness

And walk beside the ever-phrasing sea
No longer sunken in his wizardry

No longer dwelling at his soul's expense
The pauper of his mind's magnificence

Nor hating with his energy for good
The Caliban imprisoned in his blood

By finding life was always suffering
And always would be despite anything

By finding that he had first to forgive
The past to find the mastery to live

And take the world not for a better place
But for a mirror for Miranda's face

And no one there could ever know or tell
How much he had been slave to Ariel

—RICHARD O'CONNELL

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sense of special grievance helped advance any people—or has what happened in centuries past been a distraction and an incitement to counterproductive strife . . . ?"

Sowell straightforwardly explains that the West was unique in its opposition to slavery, and in its efforts against it. (Those efforts have stalled, sadly: Slavery in Africa today is largely ignored.) "On the issue of slavery," writes Sowell, "it was essentially Western civilization against the world." And "what was peculiar about the West was not that it participated in the worldwide evil of slavery, but that it later abolished that evil . . ." Indeed, "it was essentially European imperialism which ended slavery." Choke on that, world.

For my taste, the author is a little too hard on abolitionists such as William Lloyd Garrison, knocking these people as impractical and counterproductive. (That is a big Sowell word, you may have noticed: "counterproductive.") But he has points to make that you will seldom hear elsewhere. The historian Ernest R. May likes to use the phrase "thinking in time"—which means, putting yourself in your subjects' shoes, without unfair hindsight. Sowell is extremely good at that. His treatment of Virginia's John Randolph—a slaveowner with a conscience—is very sensitive. And I have never seen a better brief defense of Lincoln, against charges of temporizing, or moral timidity. The killer line: "Garrison's rhetoric may look better to a later generation, but the cold fact is that William Lloyd Garrison did not free a single slave, while Abraham Lincoln freed millions."

Sowell proceeds with what may be the most curious essay in the book: "Germans and History." In a nutshell, he does not believe that Germans ought to be defined by the twelve years from 1933 to 1945. It would be interesting to see him in debate against Daniel Jonah Goldhagen (author of *Hitler's Willing Executioners*). As usual, Sowell goes down byways unexplored by others, and concludes that Nazi "racial fanaticism" was not a "historically distinct characteristic" of "Germans as a people." Instead, "the rise of" such leaders as Hitler "should serve as a permanent warning to all people everywhere who are charmed by charisma or aroused by rhetoric."

On the education of black Americans, there is no one better than Sowell, and perhaps his only equals are Stephan and Abigail Thernstrom, who dedicated their book *No Excuses* to him. "Black Education: Achievements, Myths, and Tragedies" is a 40-page tour de force, which ought to awaken, chagrin, and motivate everyone. (It won't.) Sowell makes an obvious point, and asks an obvious question: It's not as though black Americans weren't successfully educated before about 1960 (when it was harder)—what happened? And in this essay, Sowell provides a splendid analysis of the Booker T. Washington/W. E. B. DuBois split, on which people are so facile.

The final essay, "History Versus Visions," reminded me quite a bit of *The Quest for Cosmic Justice*, and, indeed, that phrase is used a couple of times. This piece is a takedown of multiculturalism. Says Sowell, "Few things attract less attention than the achievements of the West." He continues, "'Multiculturalism' has not meant warts-and-all portraits of different societies around the world. For many, it has meant virtually a warts-only portrait of the West and a no-warts portrait of non-Western peoples." He has just described my entire formal education.

Sowell takes on no issue that is easy, always going for the hard stuff. He is a scholar and writer who chews nails. You may not agree with him—but you must reckon with him. And he pens line after line about which you say, "Only Thomas Sowell could have written that." Here's one: "When people are presented with the alternatives of hating themselves for their failure or hating others for their success, they seldom choose to hate themselves." Here's another: "Those who warn against being Eurocentric are themselves often the most Eurocentric of all when it comes to assigning blame for slavery, imperialism, wars, and other human tragedies . . ." Here's one more: "Whites walk on eggshells for fear of being called racists, while many blacks are preoccupied with protecting the image of black students, rather than protecting their future by telling the blunt truth."

Yes, Sowell is a cold bath. Refreshing. **NR**

Shared Experience

A Mirror in the Roadway: Literature and the Real World, by Morris Dickstein (Princeton, 320 pp., $26.95)

JEFFREY HART

GOOD news is at hand, and Morris Dickstein's new book is an example of it. He actually enjoys talking with us about literature, here mainly the novel. That sort of thing is what the word "criticism" once meant, the critic distinguished from the ordinary reader mainly by skill in analysis backed up by a knowledge of biography, history, and perhaps such ancillary disciplines as sociology. All of this illuminated the work of literature. Such a critic spoke to and with the readers about books they shared or might share.

Suddenly, or so it seemed, and for reasons internal to the academic study of literature, the focus shifted to the critic and away from the literary work. What intellectual gyrations the critic was performing became the point, not the poem or novel. It was now possible to listen to a paper on, say, Henry James without knowing what novel, story, or anything else was the subject of the discourse. French Theory provided an entire Klondike gold-strike of material for academic publication, a "cutting edge," as the phrase was. Ouch! Students signed up for courses about the novel or poetry, but thought they had wandered into the wrong classroom. Someone standing in the front

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of the room was pretending to be a philosopher, and not very good at it. While new books about Theory surged from the university presses and tenure spots were bestowed, classrooms were evacuated all across the nation.

The defection of a leading theoretician, Professor Frank Lentricchia of Duke, did suggest doubts. He had had a sort of road-to-Damascus experience and realized that he liked, had liked, to read, for example poetry, indeed had got into teaching on that account. He then published a fine book in the passé mode called *Modernist Quartet* (1994) on Frost, Stevens, Eliot, and Pound. Maybe the end of Theory was signaled by a symposium of Theorists a couple of years ago in Chicago. They agreed sorrowfully that Theory had not changed the world. Big surprise. Oh, so *that's* what Derrida, de Man, Foucault, and the rest thought they were doing, rather like the deluded astronomer in Johnson's *Rasselas* who thought that he himself controlled the moon and the tides.

Morris Dickstein, Distinguished Professor of English at the City University of New York, comes to us with a splendid book, talking about novels as if he actually enjoyed reading them. His title comes from Stendhal, who, Dickstein tells us, "called the novel a mirror carried along a roadway," adding that "this did not mean for him that novels reproduced the larger world by a mechanical process of reflection. The moving mirror, like a hand-held movie camera, offers constantly shifting images, each fleetingly accurate yet formed into meaning by choice, happenstance, and sequence."

He follows that moving mirror roughly from the beginning of the 20th century to relatively recent work, and ranging in styles from the Realism of Upton Sinclair, Willa Cather, and Sinclair Lewis to Modernism and the recent Magic Realism of such writers as Günter Grass and Gabriel García Márquez. The early Realism depended on the accumulation of social fact, but under the pressure of experience the "mirror" sought new departures, often radical ones, that "would combine metaphysical anguish and psychological complexity with new forms."

Morris Dickstein comes to us with a splendid book, talking about novels as if he actually enjoyed reading them.

Dickstein says quite winningly that the works he has selected for discussion are by writers "whose way with language or outlook on life mattered deeply to me," and who "brought a significant chunk of the world with them." His commentary tends to the sociological and moral as principal criteria for judgment. Fair enough. That is a valid way of talking about literature, and one takes pleasure in Dickstein's own enjoyment, which he always communicates, often with a dash of wit or personal anecdote. I might add that I would have used Dreiser's *American Tragedy* as a peak of achievement among the American Realists, but that cannot stand as a complaint here, in view of Dickstein's avowedly personal principle of selection.

After his Realists, Dickstein moves on to writers who depart, sometimes drastically, from the accumulation of social fact, their "mirrors" distorting in response to exigent circumstances that batter the sensibility: Kafka and Orwell, for example, as well as figures who escape categorization such as F. Scott Fitzgerald and Mary McCarthy. She can hardly be considered an important writer of fiction, but no one would want to miss Dickstein's discussion of her "glint of malice," and his personal impressions of her late in her life.

In his discussion of Fitzgerald, Dickstein's moral perspective takes over. While observing that *Gatsby* is his most-read work, and it is certainly the subject of the most commentary, Dickstein prefers his work of the Thirties with its sense of limits, Fitzgerald now a Depression (depression?) writer. All right, but with the sense of limits Fitzgerald's prose goes dead and the lyricism goes out of it—the "voice of love without softness," as Trilling so well characterized it, that gave Fitzgerald his distinctive power. After its famous opening, *Tender Is the Night* (1934) offers mostly workmanlike narrative prose. Then too, upon reflection a "sense of limits" may not be inherently superior morally to a sense of possibility and a Keatsian sense of perishable beauty. In his *Notebooks*, Fitzgerald said that America is a "willingness of the heart."

Dickstein has a wonderful paragraph on Samuel Beckett, the poet laureate of paralyzed will: "Beckett's novels and plays took modernism just as far as it could go. But *Waiting for Godot* was an evening's entertainment compared to what followed. Beckett's work grew ever more minimal and austere, halting just before the vanishing point, like the anorexic sculpture of his friend Giacometti, while retaining much of its hypnotic power. . . . Beckett's writing took literature as close to silence as anyone can imagine." Without a doubt, Beckett's art is expressive as a reaction to much in the 20th century. If you wonder, "What is there to say?" then perhaps silence is eloquent.

In talking about an essential work of the last century, Orwell's *Nineteen Eighty-Four*, Dickstein locates something profound: a sense of the ordinary and its resistance to ideology, and, correlatively, the hatred of ideology for the ordinary. Orwell depicts the antithesis of dystopia emerging from within it: "In bed with Julia, listening to the woman singing in the courtyard and the distant shouts of children, he wondered vaguely whether in the abolished past it had been a normal experience to lie in bed with a woman like this, in the cool of a summer evening, a man and a woman with no clothes on, making love when they chose, talking of what they chose, not feeling any compulsion to get up, simply lying there and listening to the peaceful sounds outside. Surely there could never have been a time when that seemed ordinary." Totalitarianism is always a teleocracy, even when the *telos* (goal) is only power itself. To advert once more to Lionel Trilling, Dickstein's friend and professor at Columbia, I recall Trilling saying in class once that totalitarianism always wants to get control of people's sex lives as a way of abolishing the purely private and submitting everything to the province of the state, excluding nothing from the drive to the *telos*. Or, as Nietzsche understood so very well, there is a will to domination, pushing people around, lurking in the thin smile of moralism.

These are just a few of the thoughts provoked by Dickstein's excellent book. **NR**

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■ SHELF LIFE ■

Doonesbury's Heroes

MICHAEL POTEMRA

For over three decades, cartoonist Garry Trudeau's comic strip *Doonesbury* has chronicled political history, and achieved iconic status in the process. But the chief reason the strip endures is not the political sarcasms it indulges—most of us do not, after all, need Trudeau to tell us the Watergate conspirators were "Guilty! Guilty! Guilty!"; and his other political views tend to be markedly less defensible—but rather its adept, sometimes breathtaking, observations of ordinary American life. For Trudeau is a master of the kind of social comedy that cuts very close to the bone; he is a sympathetic observer of mores whose sentiment strikes home precisely because the author studiously avoids sentimentality.

The new *Doonesbury* book, *The Long Road Home: One Step at a Time* (Andrews McMeel, 93 pp., $9.95), is one of the high points of Trudeau's career. In this volume, onetime college quarterback "B.D." loses a leg in Iraq, and copes with his new life as an amputee. Without bathos—and without political point-scoring—Trudeau depicts how real people survive this kind of physical and emotional devastation. The sense of humor is mordant and adroit. For example, a doctor is explaining B.D.'s amputation to one of the patient's fellow soldiers: "Your buddy's coming to, soldier. You can go see him . . . You should know that few things are as traumatic as losing a limb. Amputees go through a grieving process, starting with denial, then anger . . ." He is interrupted by a loud shout from behind the patient's curtain: "Son of a *bitch!*" The doctor continues: "Sometimes they skip the denial."

A few pages later, B.D. is on the telephone with his wife, and delivers the bad news in a destined-to-be-classic line: "Well, the good news is I'm finally down to my ideal weight . . ." This is the sort of grace under pressure that John F. Kennedy idealized, and America right along with him; the kind of ice-cool good humor that Ronald Reagan showed as surgeons worked to save his life after the 1981 assassination attempt. Here, as elsewhere in his oeuvre, Trudeau has transcended politics to capture something very important about our national self-understanding. An important component of his success is his restrained style of illustration: In this instance, B.D. is not even in the frame as he delivers his bon mot. We see, rather, his wife, shown simply and poignantly at the other end of the phone line, a thought balloon with the words "Oh, God" poised above her head.

Other old friends turn up. Zonker Harris's visit to B.D.'s hospital is utterly characteristic: He brings along some "medical marijuana," whether the patient needs it or not. It is, of course, the thought that counts; and in this sweet, funny, and moving book, Garry Trudeau has expressed in pitch-perfect fashion the way America thinks and feels about its men and women deployed in Iraq. They are brave; they are ours.

■ "Are you sure Colson is for real?" This skeptical question was addressed, some years ago, by a distinguished former U.S. secretary of state to Jonathan Aitken, a writer and former British cabinet member. In the excellent new book *Charles W. Colson: A Life Redeemed* (Doubleday, 436 pp., $24.95), we have Aitken's unambiguous response: Colson is the real deal. This detailed biography gives us the man in full, from political hardball, Watergate crime, and prison time to conversion and Christian activism. Few people have been involved as intimately as Colson in some of the most important efforts of our time: helping convicts turn around their lives (through the Prison Fellowship ministries), building unity among Christians (Colson is cofounder of Evangelicals and Catholics Together), fighting against genocide in Sudan, and changing America's overall culture through moral witness. This is a worthy book about a man whose importance is only beginning to be recognized.

■ The conservative credentials of New York writer John A. Barnes are irreproachable; when, therefore, the redoubtable Barnes weighs in with a substantial volume entitled *John F. Kennedy on Leadership: The Lessons and Legacy of a President* (Amacom, 228 pp., $24), attention should be paid. The book is an impressive account of the skills that made JFK such a successful public figure. Barnes gives the reader the sense that the (understandable) reaction against the Camelot myth has gone much too far, that the time has come for an appraisal of Kennedy's genuine merits.

■ In *The Myth of Hitler's Pope: How Pope Pius XII Rescued Jews from the Nazis* (Regnery, 209 pp., $27.95), Rabbi David G. Dalin offers a serious debunking of some of the chief canards of the anti-Pius case. For example, Exhibit A in John Cornwell's 1999 bestseller *Hitler's Pope* was a passage from a letter Eugenio Pacelli had written some two decades before being elected to the papacy; the passage's supposed anti-Semitism was really the result of a tendentious mistranslation from Pacelli's original Italian.

Rabbi Dalin's brief is strong; I question only his decision to devote a whole chapter to the grand mufti of Jerusalem, Hajj Amin al-Husseini. That this mufti was—unlike Pope Pius—a collaborator with Hitler is well known, and the case in defense of Pius is not appreciably strengthened by the suggestion of other possible suspects in the crime. Nonetheless, the fact—noted by Dalin—that the virulently anti-Semitic al-Husseini included among his young followers the future terrorist

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leader Yasser Arafat (who was also one of his relatives, albeit a distant one) is important to an understanding of the eliminationist anti-Semitism that continues to thrive in radical Islam.

Dalin's fine book ends on a hopeful note: The pontificate of John Paul II did much to heal the rift between Jews and Catholics. No honest observer of the late pope could doubt that today's Catholicism stands unequivocally against anti-Semitism in all its forms.

■ The new book *Afghanistan: A Companion and Guide* (Odyssey, 768 pp., $29.95), by Bijan Omrani and Matthew Leeming, is one of the most gorgeous volumes I've come across in a long time; it's a lavishly illustrated account of a people and their tumultuous history. The United States has been accused of using its power to impose its culture on other nations; it would be more accurate to say that the U.S.'s global-democracy agenda seeks to strengthen the cultures that already exist. Afghanistan has been liberated—by U.S. intervention—from a socio-political straitjacket imposed by despots; this book shows the promise of the Afghans' own culture, based on the glories of its past. **NR**

■ TRAVEL ■

No Fear or Loathing

ANDREW STUTTAFORD

I was somewhere around Oudezijds Voorburgwal, on the edge of Amsterdam's Red Light District, when I knew that the drugs would never take hold. My vision was bad, but then it always is; my judgment was no worse than normal; and my usual bleak mood was no better. I had absolutely no interest in tie-dye, Hermann Hesse, granny glasses, world peace, the teachings of the Buddha, or a flower in my hair. I was a loser Leary, a deadbeat De Quincey.

It had all seemed so much simpler just a few hours before. I'd been sitting in an old café on Spuistraat discussing the state of Dutch politics (bad) over a few Dutch beers (good) with my friend Henk. Sixteen *biertjes* later (between us, *between* us), it was time to move on. Henk was saying something feeble about a heavily pregnant wife, had to be by her side, baby due any moment, and I, well, I felt the call of investigative journalism. Holland's reefer madness had to be checked out. Thoroughly.

Mr. Stuttaford is a contributing editor of National Review Online.

Cannabis is not exactly legal in the Netherlands. But it's not exactly illegal either. Finding out exactly what the country's policy of tolerance (*gedoogbeleid*) means is about as easy as following stoner logic, but its result is that in certain cities so-called "coffee shops" are allowed to sell small amounts of cannabis (a maximum of five grams at a time) to their customers. Coffee shops are licensed; they pay tax and are regulated: Alcohol is rarely on offer, hard drugs are strictly forbidden, and even soft drugs cannot be advertised. No minors are permitted on the premises, and you have to be 18 before you can graze on the grass (the drinking age in the Netherlands is 16). Finally, in a last, faint, despairing echo of the country's Calvinist past, a coffee shop can be closed down if it's a "nuisance."

And in recent years, many have been. As always, when anything bad happens, France is involved. Concerned by the number of their nationals traveling to the Netherlands to stock up on pot, both France and Germany have been putting pressure on the Dutch to close down the coffee shops, or at least insist that only Dutch citizens be permitted to use them. For the most part, the Dutch have paid no attention, but the purchase limit was reduced to the current five grams (from 30) and other regulations were more strictly enforced. According to the possibly reliable *Smokers Guide to Amsterdam* ("an unbiased view of Amsterdam for casual party people") the number of coffee shops in the city fell from 480 in 1990 to 279 in 2001. Once the less permissive center-right Christian Democrats came to power in 2002 this crackdown went further still. A little over 200 coffee shops survive there today.

But that was more than enough to choose from. Even after I had, um, weeded out the coffee shops with names that were either too redolent of the 1960s (The Doors, Flower, Kasbah, the Kashmir Lounge, Mellow Yellow, and Pink Floyd), too scary (Lucifera, Ruthless, Stud, and Xtreme), too derivative (Rick's

■ BOOKS IN BRIEF ■

It Takes a Family: Conservatism and the Common Good, by Rick Santorum (ISI, 449 pp., $25)

In this valuable new book, Pennsylvania senator Rick Santorum—chairman of the Senate Republican Conference—makes a powerful case for the proposition that the future of our children and our country alike depends on strong, healthy families grounded in the marriage of one man and one woman. As his title suggests, Santorum's book is a counterpoint to Hillary Clinton's 1996 book, *It Takes a Village*: He believes that the family—rather than the government or society—bears the primary responsibility for raising children, and that safeguarding this tradition is essential to our pursuit of the common good.

Santorum tackles many controversial issues—questioning, for example, the wisdom of no-fault divorce and the received wisdom that families need two breadwinners. Ultimately, he views liberalism as the root cause of many of the current problems plaguing families and children; radical feminism has created a cultural climate that fails to give proper respect to stay-at-home mothers, with the result that many women enter the workforce at the expense of their children's well-being. Santorum has a warning for conservatives and liberals alike: If parents don't put their children first, the children—and society as a whole—will pay a severe price.

—LOREDANA VUOTO

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Café), too tactless (Midnight-Express), or unacceptably dependent on puns (High School, High Time, Highlander, and Highway), a wide selection still remained. Some were too seedy, others too hip; the place I eventually found was relaxed and welcoming even if some of the people there appeared really, *really* surprised to see me.

Perhaps my suit, tie, and shirt (Jermyn Street, since you ask) were to blame. Or was the problem my age, a Cruise-Holmes span away from that of the pretty young waitress? Maybe it was just that I quite clearly didn't know what I was doing. I hadn't brought any tobacco with me, or any rolling papers, or even a lighter. The menu was meaningless, but vaguely alarming. White Widow? Bubblegum? Domina Haze? Manali Crema? I felt confident that AK47 was not the way to go, but as for the rest . . .

"Have you ever smoked?" asked the young, young, *young* waitress, anxiously.

"I was at university during the 1970s," I replied ambiguously, plagiarizing Newt Gingrich.

She laughed, and I bought five pre-rolled joints for twenty euros—dope for beginners, I suspected, a "trip" with training wheels. I smoked them quietly in a corner, reading *The Economist* (what did you expect, *High Times*?), while the other customers sat across the room, puffing on Bubblegum, occasionally glancing over at this misplaced Methuselah and his *Economist* and wondering, probably, whether the BTK killer had been caught after all. After an hour or so, nothing seemed to be happening. The joints *smelled* like 1967, but their effect was 1957. Had years of legal intoxicants taken their toll, or had I simply been had? Supplementing my sad-sap spliffs with more potent space cakes ("once you're on the ride," cautioned the *Smokers Guide*, "there's no immediate way off!") seemed unwise. It was time to go. So I did.

If space cakes were unwise, Amsterdam's "smart shops" look really dumb. These stoner apothecaries, a more recent arrival, sell not cannabis, but a wide selection of nature's naughtier productions: herbs, mushrooms, cacti, and odd, unidentifiable fungi of the type that usually means trouble in sci-fi movies too low-budget to spring for a proper alien. Some of their offerings may not work at all: To believe in a "natural Viagra best boiled in vodka" took, I felt, brains more thoroughly boiled in vodka even than mine. Others may work all too well: After some Salvia, "your balance is completely lost; gravity pulls you in amazing ways." Oh, okay.

But Holland as a whole has not lost its balance. There's no room to recite all the arguments here, but if the coffee-shop experiment has not worked quite as well as some of its boosters claim, its critics have fared even worse. Per capita cannabis consumption in the Netherlands is estimated to be at the EU average, and rather below that prevailing in these Altered States of America; and the Dutch, of course, have avoided much of the destruction, despair, and cost of the drug wars. Disappointingly for drug warriors, there's no evidence either that easy access to cannabis has acted as a "gateway" to more dangerous pastimes: The incidence of heroin consumption is far less than in the U.S. Overall, Holland has one of the lowest rates of problem drug use in Western Europe.

If there is an objection to the coffee shops, it's aesthetic. Owing to them, Amsterdam has become to cannabis what Bourbon Street is to Hurricanes. This fine old bourgeois city is in danger of turning into a euro-Kathmandu, a druggy destination overwhelmed by day trippers (literally), cannabis kitsch, and counterculture dreck—which could end up destroying the typically civil Dutch compromise that has made this experiment possible.

And then there are the town's proliferating cannabis snobs, like wine bores only, somehow, even more irritating. You can read what they have to say (Nepal Temple Balls have, apparently, a "buzzy, chatty high that makes you zone") on coffee-shop menus and in numerous guidebooks. Or go and hear for yourself. I joined the crowd downstairs at the "Cannabis College" on Oudezijdes Achterburgwal to gaze at some outlaw botany and listen to the mumbling, muttering, meandering Yoda who was its custodian. I could take the interminable, rambling discussion of the merits of one plant over another, but when he started referring to them as his "girls," I knew that it was time for something else: A good, stiff drink. **NR**

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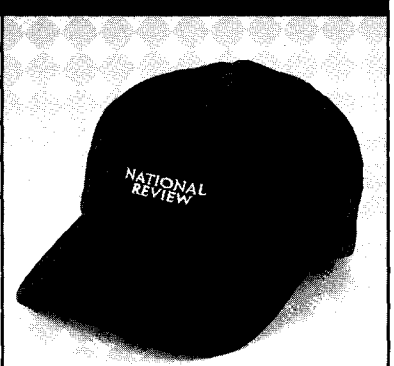

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COUNTRY LIFE

Upstate Burgeoning

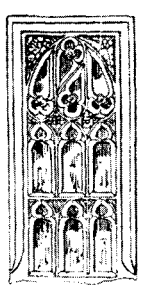
RICHARD BROOKHISER

I CANNOT be what I am not. However long I live in the country, I will always be a city guy who writes; maybe a suburban kid who read and wanted to write. Nothing startling about that. How many rural poets were actual farmers? Hesiod maybe; John Clare. Most bards of the simple life have been second-homers (Horace, Virgil) or soldiers in the occupation force of the upper class (Jefferson). But even a provisional acquaintance with country life can make the classics real in a way that a class with Harold Bloom couldn't. Having a weekend house in a field is a year-long field trip.

Summer's third quarter has begun, and with it, the mad production of fruit and vegetables that will run until Halloween. They march like cars from old Detroit, or computer geeks from modern India, prolific, unstoppable. Among the first wave are the cucumbers. Left to themselves, they will climb a bit; overnight, a cucumber vine can twirl a runner around a filament of a hardware-cloth fence that is almost as tough as the hardware cloth itself. The sun coaxes the cucumber plants up. But gravity, more potent, pulls them down. They try to take shortcuts to sunlight, running out sideways, shoving aside melons and onions and whatever else is in their path. Crowds in the Times Square subway station are more polite. If the gardener doesn't intervene, he is left with a tangle of cables, the cucumbers themselves as hidden as submarines, cruising under their leaves.

The traditional answer to this problem is the cucumber frame, a trellis for the disorderly adolescents to grow on. Our ad hoc substitute has been tying the vines to the fence: the definition of the amateur, the man who does something late, and not as well. The classic of English Lit this illuminated was *Far from the Madding Crowd*, by Thomas Hardy. Is it Hardy's best novel? It is certainly his least pretentious; it also made a great movie. Early on, Gabriel Oak, the salt of the earth, proposes to the beautiful Bathsheba Everdene. One clause in his pitch is that he will make her a cucumber frame. Even though he was played by Alan Bates, that sounded like a dull, yokelish thing to offer; no wonder she preferred swordplay with Sgt. Troy. (Hardy was a sexy old dog, which is concealed—somewhat—by his clumsiness.) After a buggy day of tying up vines, however, I saw that Gabriel was offering Bathsheba something of real value: closer to an SUV. That makes her even more willful, and perhaps Sgt. Troy even more attractive. Let the plot, like a cucumber, thicken.

The fecundity of late summer riots outside the garden too. Now is the time of subtropical rankness. Pests like bindweed, the self-growing barbed wire, make their move. But in the clutter there are blessings. At the bottom of the lawn, on the path to the pond, and on the bank of the pond itself, shaded by swamp maples, the grass is sown with heal-all, a small blue flower that stays through September. I asked my gardener, who is a Wiccan high priestess, what it heals. Nothing specific, she said; it can be brewed into a general tonic. It grows where wild violets do, and it is even humbler, because odder; its petals make a small cluster, like a pinecone or a 1950s light fixture. It is the color of the sky.



Turn now to one of Robert Frost's greatest and grimmest poems, the sonnet "Design."

> I found a dimpled spider, fat and white,
> On a white heal-all, holding up a moth
> Like a white piece of rigid satin cloth . . .

Frost goes on to ask what could have caused all the players in this slasher-film tableau to be white, and he builds to his conclusion:

> What but design of darkness to
> appall?—
> If design govern in a thing so small.

Maybe Satan runs the world; maybe no one does. Roll credits.

Now most of us dislike scurrying bugs, and like beautiful flying ones; accusing a spider who happens to be holding a dead moth of murder is arachnid profiling. But what really gets Frost going is the fact that his heal-all, which is his spider's pulpit, is white. Frost mentions in the poem that the flower is usually "wayside blue and innocent." But when you see dozens of them, scattered like beautiful throwaways, the screw of Frost's question bites an extra turn. You also notice, when you have your own heal-all handy, the intensity of Frost's attention. If you want to see anything on a heal-all, you have to squat down. Maybe bad answers come to those who ask untimely questions. Philosophy and lyric poetry require a certain neurosis. Mow the lawn, Bob, you'll feel better.

Some soil is so blasted that not even high summer can coax anything out of it, except the hardiest weeds. One of the hardiest is mullein. When we bought the place, the scraggly field that the previous owner had optimistically labeled "New Meadow" on his hand-drawn map was covered with it. My wife spent that fall ripping it and its vacant-lot kin out. Mullein took her labors as a sporting challenge, and still pops back here and there, six years later. It shoots up to three or four feet tall; it's covered with fuzz, and simple yellow flowers. If you throw it on the compost with the ashes from the grill, it will smoke for hours, unless you douse it. Give me drought and dearth, it says, I will light the way.

Walt Whitman's "Song of Myself" is a poem built around mystical visions. In the first, described in section 5, Whitman merges with the universe, from "the hand of God," to "heap'd stones, elder, mullein and pokeweed." Those would be the opposite ends of the spectrum, wouldn't they? He is also discovering a parallel optimism in mullein, God, and Walt Whitman. *Don't worry*, they all say, we'll get through this. We hear you. **NR**

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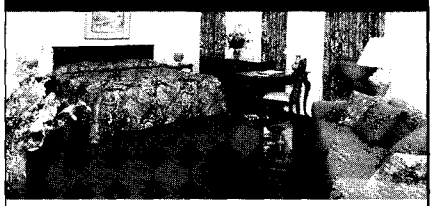

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WILLIAM F. BUCKLEY JR.

Steep Road to Free Trade

NEW YORK, JULY 29

THE vote on the Central American Free Trade Agreement was heartening, but on the long canvas of free-trade activity it is discouraging. What stands out is not the success of the CAFTA bill, but the weakness of its support.

To get the critical two votes on CAFTA, Mr. Bush practically had to promise individual congressmen that he would pave their driveways the next time a highway spending bill comes up. He was working against heavy odds in a bitterly partisan scene. Republicans voted in favor of CAFTA by 202 to 27. Democrats voted against by 187 to 15. It was just before midnight on Wednesday that one congressman from North Carolina came around. A book will probably be written about the welter of pressures on him.

These pressures begin, properly, with the democratic mandate. This is difficult to measure because the country is almost exactly divided, 50–49, on the general question of free trade. Consulting local interests, Rep. Robin Hayes, a Republican from North Carolina, saw the labor-union chief, machine gun leveled, speaking for the threatened textile workers. In ten years, 200,000 North Carolinians have lost their jobs as textile workers as tariffs edged down.

On his other side was the president of the United States and the brass of the party, asking for his fealty as a Republican—as also for his fealty as a capitalist.

Everybody knows that the man who makes shoes efficiently is better off buying shirts from the man who makes shirts efficiently than going into shirt making on his own. They call it the principle of comparative advantage. But considerations of many kinds must be weighed in the politics of free trade. The goal is an ongoing benefit to both parties, but the goal is made difficult to achieve by factors which may be extrinsic to raw economic analysis, but are absolutely organic in the political order. How do you muster the votes in France to reduce by half the number of agricultural workers? The answer: You don't. It would be the equivalent of eliminating sugar tariffs in the U.S. CAFTA permits an approximate one-percent reduction in that tariff. Still, what keeps the free-trade engine running is empirical factors. When the shoemaker discovers that by buying his shirts from someone else he can have not only the shirts he needs but also money left over to buy a radio, he comes to his senses, or edges towards them.

President Bush is doing his best to inch along towards the goal of free trade, but what is he to do in the big theaters directly ahead? In Geneva the WTO's "Doha Round" of negotiations has stalled on the question of agricultural tariffs. But U.S. officials are aware that a reduction of tariffs on manufactured goods is sought not only by great industrial powers like Germany, France, and Japan, but also by nations seeking to grow economically. Towering over the lot is China, which is churning along economically as though it were a World's Fair exhibit of Adam Smith, Inc.

There is movement in that part of the world towards regional free-trade pacts. Last November, China consorted with the ten-member Association of Southeast Asian Nations. Their goal is to create the world's largest free-trade area by the year 2010, to which end separate pacts are being pursued with distant countries, for instance, Chile.

To make our own way, we need pacts of our own. In 1993 we set out to make the whole Western Hemisphere a free-trade area, but approaches to that goal are skimpy and disordered. The Central American nations dealt with in CAFTA will sell to America in one year the equivalent of what China sells us in one month. And the experience with CAFTA is disheartening to potential partners in trade. In order to get the pact through Congress, we wrested concessions from the Central American nations which were sacrificial, and not always repeatable. Brazil is not as easily intimidated as Nicaragua.

Indeed it was a Brazilian economist who was quoted in the *Wall Street Journal*. Gesner de Oliveira summed it up: "If the formation of CAFTA is so difficult, imagine the difficulties of the formation of [the Free Trade Area of the Americas]. It's an inexorable process. But the velocity is going to be much slower than we thought five years ago."

Bearing Down on the Stem Cell

NEW YORK, AUGUST 2

WE like to think that the stem-cell controversy will, some time before mankind's end, give us definitions we can act thoughtfully upon. We need not only verbal definitions but moral perspectives. These are thought to be static, but are not. Probably Harry Truman would not today drop a nuclear bomb on Pyongyang, though doing so might have got him a runaway reelection the next day. Matthew Scully, in his book, *Dominion*, has reopened the moral question of animal (mis)treatment. Ever the descendants of the Vikings, Scandinavian explorers are pressing new definitions of acceptable voluntary death.

In the matter of stem cells, we are asked to focus on two completely different things. There are the so-called adult stem cells, which derive from cells that would never develop into a human being. To take such stem cells and do nuclear transfer research is okay. Nobody is arguing that what you are doing is snuffing out a human life.

By contrast, embryonic stem cells harbor life unborn, so that to take these and experiment with them is seen as experimentation with human beings. The ideal is to authorize the first kind of stem-cell research but to forbid the second—or, at least, to restrain it.

Now here is where confusion begins.

President Bush had said that we must not encourage the termination of life even for the sake of saving life. The premise of his line of reasoning is that to destroy an embryo in order to extract its

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stem cells is the equivalent of abortion.

But Mr. Bush began the dispute when in 2001 he gave his approval to the use by biologists of 78 embryonic-stem-cell lines already in existence, while decreeing that this would be the end of any public subsidy to the creation of further lines. But the House has now voted (238–194) to approve additional subsidies for research on in vitro embryos donated by fertilization clinics. The Senate majority leader, Dr. Bill Frist, has endorsed this bill, and President Bush has promised to veto if it reaches his desk.

The moral confusions spring in part from the isolation from one another of the nation's laws and practices. In some states, stem-cell researchers can do certain things which in other states are forbidden. Add to this that the president's argument has had mostly to do with the use of public funds, but the language used has had to do with universals. If the destruction of an embryo is the destruction of a human life, how do we explain the inattention given to such destruction of life in so many states?

Moreover, there appears to be no limiting guide directed at privately financed laboratory activity. If embryonic-stem-cell research involves human slaughter, why is it not forbidden? It is a planted axiom of a free society that its citizens should be free to do as they please—provided what they please does not violate basic moral protocols, such as the one against killing innocent human beings.

The only answer that can confront these mutually exclusive postulates is the absence of a consensus. This ought not to be surprising given the absence of consensus on abortion. The forlorn embryo traceable to in vitro fertilization is thought human only after a hard exercise of imagination. Stem cells in the tens of thousands result from such enterprises, but the public mind is not greatly exercised by their loss so long as the experimenters are discouraged from such hubris as cloning. If the voters tolerate abortion on demand, they will not likely pause for very long over the exploitation of stem cells aimed at curing human diseases.

It is easy to mobilize public sentiment in behalf of advances in health for full-blown citizens, much less easy to mobilize opposition to the exploitation of inchoate human beings. What is especially difficult is that legislators who do not see the importance in affirming life in the womb are not likely to affirm the sacredness of the embryonic stem cell.

The Role of Casualties

NEW YORK, AUGUST 5

On Monday, seven U.S. soldiers were killed. On Wednesday, 18. On Thursday, an army general acting as spokesman for our high command in Iraq announced that the volume of suicide bombers was actually decreasing. He did not dwell on the coincidence—that suicide bombers were decreasing as American deaths increased. Is General Alston looking forward to the day when he can report that there were no suicide bombers that week? Only Americans, killed by insurgents who did not have to trouble to kill themselves? And of course on Thursday we heard from the commander in chief, that nothing would diminish the spirit of the American liberators, nor deflect their aim.

We do not have accurate figures for the number of Iraqi civilians who have died in the course of the war. Estimates range from 25,000 to 100,000 or more—this in a population of a mere 26 million.

Self-imposed deaths by insurgents are morally finite, like grief over suicides. However, there are many deaths by non-involved Iraqis in the regular collisions between insurgents and Americans. One day last month was typical: one Iraqi insurgent, three American soldiers, 40 Iraqis-on-the-scene. Here it is notable that resentment from families deprived has not added to anything like the equivalent of a native counterinsurgency movement.

Perhaps there are Iraqis who, weighing progressive civilian losses, reduce, or attenuate, their covert aid to the insurgents. More likely, they simply sit on the stormy scene, corpses of friends and neighbors littering the land, and practice resignation, rather than resentment.

But resignation of this character is not at all American. The death of 18 American soldiers will certainly prompt a dozen speeches from congressmen and a hundred editorials. And, of course, the commentary of the president, in which he reaffirmed his determination to stand by the Iraqi venture.

Gross mortality figures necessarily weigh in as a factor affecting the morale of the enterprise. If our casualties in Vietnam had been not 58,000, but 580, we would probably still be there. Here it is vital to remind ourselves of the mindset of many non-American figures, military and political.

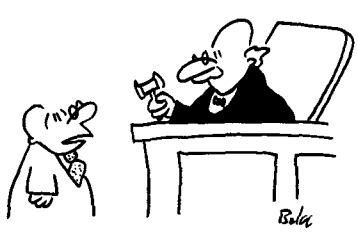
Killing of the kind engaged in by terrorists is a supremely individualistic activity. The men who managed the death of 56 Londoners on July 7 were what the sociologist David Riesman called "inner directed." They had motives, yes, but these were mostly undifferentiated. A hatred of—neighbors who rode the subways and the buses going to work? Any effort to start up an organization to better the conditions of such as this group would be stillborn. There was no ethnic, or racial, or religious, or economic discrimination in their choice of victims. As for the terrorists themselves, 75 percent are from the middle class, half of them college trained.

The terrorist "movement" is impossible to quantify. Individual terrorists were, only yesterday, engaged in ordinary occupations, shocking friends and family when they struck as terrorists.

Curiosity turns to the question: How much damage must terrorists do in order to persuade themselves that their calling is worthwhile? Christian martyrs could dream, in their terminal moments in bloody arenas, of a reordered, Christianized world. The insurgents in Iraq can dream of driving Americans away from their native soil. But of what stuff were the dreams of the London bombers?

American deaths in military campaigns deeply affect fellow Americans. And they add up to political pressures. These are still inchoate, but they are the agents of the insurgents' immediate purpose of driving Americans away. After that, they will be reduced to killing fellow Iraqis.

—Universal Press Syndicate



"'Obstruction of justice'?— Well, maybe I slowed it down a little . . ."

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happy warrior

MARK STEYN

The Left's Extras

WHAT would you say the most famous African country in America was right now? I'd go for Niger. Nary a day goes by without a dozen e-mails from aggrieved lefties claiming that I've "lied" about what Ambassador Joseph C. Wilson IV found on his famous mission when he flew into Niamey and spent a couple of days sipping mint tea with former big shots from the regime of retired strongman Major Wanke. (I've suggested "Wankegate" as a name for the "scandal" to the *New York Times*, but they're oddly unenthusiastic.)

I take great umbrage at the lie that I've lied about Joe Wilson's lies about what he found in Niger when he lied about the administration's lying about what he found before he started lying about it—or I *would* take great umbrage, if I could keep a straight face. Unfortunately, every time I do I think of the touching dedication of Ambassador Wilson's hilariously titled memoir *The Politics of Truth*: "To my wife Valerie . . . If I could give you back your anonymity I would do so in a minute."

I think we can all agree on that. If I could give Joe and Val back their anonymity I would do so in a New York nanosecond. But if the UnableToMoveOn.org crowd want to keep Joe on the front pages, good luck to them and we'll see how that works out in early November 2006. But you'd think, if he's accomplished nothing else since he elbowed his way into the spotlight, he'd at least put Niger on the map. As the subject-headers in my inbox shrieked for three successive summers: "BUSH LIED ABOUT NIGER!!!" Leave aside the fact that Major Wanke's prime minister told Wilson that, yes, the Iraqis were interested in acquiring uranium from Niger—since when did Niger get to be such a big deal? Niger, Niger, Niger. Forget the British, the Aussies, even French intelligence: Only the views of those Niamey tea-sippers should have been allowed to determine whether we went to war with Iraq. To listen to the Left, you'd think Niger was the only permanent member of the U.N. Security Council.

Here's the thing: There is an actual news story in Niger right now. Not the two-year controversy over Joe Wilson's tea expenses, but rather a massive drought followed by a plague of locusts and a third of the population on the brink of starving to death. In Vermont the other day, I bumped into a lefty acquaintance who was convinced Karl Rove was about

The MacGuffin has served its purpose

to be brought down for his campaign against the Wilsons for "telling the truth" about Niger. "Ah, Niger," I said. "Eight hundred thousand dying kids."

"Really?" he said, nonplussed but only momentarily, and, barely pausing for breath, he was soon speculating wildly about whether Rove's "lies" would also bring down Rice and Cheney. To the Left, Niger is what Alfred Hitchcock used to call "the MacGuffin": the thing—the secret papers, the formula—that kickstarts the plot and gets Cary Grant on the run but that no one really cares about. If Niger has Karl Rove on the run, that's all well and good, but it's served its purpose.

I've remarked previously on the parochialism of the new Left, but, for all the talk of "reaching out" to America's allies, you get the feeling the foreign pages are one big yawnsville to them. In the old days on Broadway, they used to have what they called "catalogue songs"—laundry lists of lyrical examples that all went to prove the same point, that "You're the Top" or that "These Foolish Things (Remind Me of You)." In this case, whatever happens around the world, These Geopolitical Things Remind Me of Bush. Great events are taking place around the globe, and the Left has no interest in them except as twists in a dreary soap opera of neocon Beltway bogeymen most Americans have never even heard of. The hapless citizenry of Niger—or Iraq or Afghanistan—fulfills the same function as the natives in a British Empire yarn or the Injuns in an old western: They're mere extras filling out the background in a story about competing factions of A-list white guys.

Take, for example, this *New York Times* editorial, in which disparate events on three continents are assumed to be mere local franchises of the Plame wars: "As the *New York Times* reporter Judith Miller enters her fifth week in jail for refusing to disclose a source, the repercussions are being felt abroad . . . In Burundi, government authorities jailed the journalist Etienne Ndikuriyo—for a story questioning the health of the president . . . In Nepal, a police inspector demanded that one newspaper editor reveal his sources for a report on fighting between the government and Maoist rebels . . . And in Serbia and Montenegro, two police officers visited an independent daily newspaper demanding . . ."

Whoa, hold up a moment. This guy in Burundi, he's a "repercussion" of the Judith Miller case? Like Burundi was a beacon of press freedom until they got the word from the Bush administration that you can toss journalists in the slammer? Tell it to—to pluck at random—the guys at In-Burundi.net who were beaten up by gendarmes in Bujumbura three years ago. I know "all politics is local," but if you think Etienne Ndikuriyo's arrest in Burundi is a "repercussion" of Judy Miller, man, you're getting *way* too local. **NR**

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